

Agenda

Environmental Protection Commission

February 15, 1999

10:00 AM

Wallace State Office Building, Fourth Floor Conference Room

Public Participation

10:30 A.M.

Agenda topics

1. Approve Agenda
2. Approve Minutes of January 19, 1999
3. Introductory Remarks Paul Johnson
4. Budget Status Report Stan Kuhn (Information)
5. Toxic Cleanup Days Service Delivery Contract Amendment Roya Stanley (Decision)
6. Landfill Alternatives Financial Assistance Program Contracts Approval Roya Stanley (Decision)
7. Proposed Rule--Chapter 105, Organic Materials Composting Facilities Roya Stanley (Information)
8. Monthly Reports Allan Stokes (Information)
9. Proposed Rule--Chapter 40, 41, 42, 43, and 83, Water Supply and Environmental Laboratory Certification Allan Stokes (Information)
10. Notice of Intended Action--Chapter 55, Aquifer Storage and Recovery Rules Allan Stokes (Decision)
11. Clean Water State Revolving Fund - 1999 Intended Use Plan Allan Stokes (Decision)
12. Notice of Intended Action--Chapter 20, 21, 22, 23 & 25, New NESHAPS and Internal Corrections/Clarifications Allan Stokes (Decision)
13. Proposed Contested Case Decision--Markley Knock Allan Stokes (Decision)

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|------------|---|--------------------------------------|
| 14. | Referrals to the Attorney General | Allan Stokes (Decision) |
| | a) Henry County | |
| | b) Tyler Excavating/Ray Tyler (Polk County) | |
| | c) Ron Morgan (Polk County) | |
| | d) Dean Stafford dba Oakland Mills Store (Henry County) | |
| | e) Rodney Mullins (Humboldt County) | |
| | f) Gary Lenz - Mike's Fisherman's Wharf (Dubuque County) | |
| | g) Patrick McCoy (Delta) | |
| | h. Russell Barkema dba Barkema Construction (Wright County) | |
| | i. Jeff Bendickson and Karen Bohl (Manly) | |
| | j. Elery and Allen Fry; Becky Sandeen (Monroe County) | |
| 15. | 1999 Legislation | Kathleen Moench (Information) |
| 16. | General Discussion | |

**Next
Meeting
Dates**

March 15, 1999

April 19, 1999

May 17, 1999

ENVIRONMENTAL PROTECTION COMMISSION

Monday, February 15, 1999

NAME

COMPANY OR AGENCY

CITY

(PLEASE PRINT)

DANNY VEST	GROWMARK, INC.	BLOOMINGTON, IL.
Jane McAllister	Ankers Law Firm	DSM
Bill Shea	The Messenger	Fort Dodge
Helen F. Mahan	Sun Club	DSM
Gerebeck Henlen	IOED	DSM
Perry Beaman	Dm Registe	DM
Cathy Woollums	MidAmerican Energy	Davenport
Tom Anderson	DNR	DSM
Hal Morton	Dm & Reg'l Solid Waste Comm	Burlington
Joe Coener	Des Moines Water Works	DM
Ted Corrigan	"	"
Linda Kinman	IAWA	DM
Chris Gruenhagen	Farm Bureau	WDSM
Rick Kelley	U & L	DSM

RECORD COPY
File Name ADM-1-1-1 Meeting
Quarters Initials JY
Feb. 1999
CN MAR 1999

MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

FEBRUARY 15, 1999

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairman Ehm at 10:00 a.m. on Monday, February 15, 1999, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

William Ehm, Chair
Randal Giannetto
Rozanne King
Charlotte Mohr, Secretary
Kathryn Murphy
Gary Priebe
Terrance Townsend, Vice-Chair
Rita Venner

MEMBERS ABSENT

Dean McWilliams

Chairman Ehm reported that Dean McWilliams previously phoned to say he has a conflicting meeting out-of-state today.

ADOPTION OF AGENDA

The following adjustments were made to the agenda:

Chairman Ehm stated that under General Discussion he would like to discuss a letter from the Administrative Rules Review Committee. He noted that Kathryn Murphy will have been delayed and detoured by an auto accident, so she will be late to the meeting.

Motion was made by Rita Venner to approve the agenda as presented. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

APPROVAL OF MINUTES

Motion was made by Rozanne King to approve the meeting minutes of January 19, 1999 as presented. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

INTRODUCTORY REMARKS BY PAUL JOHNSON, DIRECTOR

Paul Johnson, Director, addressed the Commission relating that he left the legislature ten years ago and in coming back ten years later has found that the same issues are still being dealt with. He stated that on the other hand he is pleased with the good things going on in the state and related that the Commission is a very important part of that. He related there are a lot of challenges ahead and he is looking forward to working with the Commission. He added that the Commission deals with very important work and he hopes that it will be a body that is willing to show passion and emotion for these issues. He related that all of us want to make Iowa a healthy place and the work of the Commission helps to achieve that. Director Johnson stated that he believes in Commissions and it is a way citizens can take part in their government. He related that he plans to work very closely with the Commission to develop good policy for the State of Iowa.

FINANCIAL STATUS REPORT - YTD DIVISION EXPENDITURES

Mark Slatterly, Bureau Chief, Budget and Grants Bureau, presented the following item.

Staff will present a budget status report focusing on division-level and program expenditures as compared to the budget as of 1/1/99.

Several budget adjustments were made. The Parks budget was increased by \$135,000 reflecting increased income, primarily windblown timber sales. \$90,000 of the increase was used to increase the parks' facility maintenance budgets. \$35,00 was used to increase the divisions printing budget, \$5,000 to increase the out of state travel budget, and \$5,000 to increase the uniform budget. The Forestry budget was increased by \$100,000, reflecting an expected increase in nursery stock sales. This increase was used to offset nursery expenditures for seed and supplies. Recall that last month, this report showed an over expenditure in this area.

Additional information regarding budget status will be provided at the meeting and staff will attempt to respond to possible questions.

Monthly Operations Budget Status Report

1/31/99

Budget Unit	FY98 Actual	FY99 A/BDGI	FY99YTD A/BDGI	FY99YTD Actual	Variance Under(Ovr)
Director's Office/Info & Ed.	1,903,785	2,224,453	1,217,614	1,129,565	88,049
Administrative Services Div.	5,590,432	5,971,145	3,359,598	3,092,452	267,146
Parks, Rec. & Preserves Div.	9,446,101	9,774,283	5,457,042	5,720,184	(263,142)
Forests & Forestry Division	2,861,695	3,101,789	1,775,027	1,733,303	41,724
Energy & Geo. Res. Division	1,545,441	2,453,603	1,307,143	793,035	514,108
EPD Division	17,657,140	21,562,618	11,977,638	10,089,740	1,887,898
FW Division	20,306,582	21,439,730	12,033,150	12,040,909	(7,759)
Waste Mngt Assistance Div.	1,524,107	1,599,444	800,955	666,484	134,471

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60,835,283 68,127,065 37,928,167 35,265,672 2,662,495

Director's Office/ Information & Education

Budget Unit	FY98 Actual	FY99 A/BDGI	FY99YTD A/BDGI	FY99YTD Actual	Variance Under(Ovr)
Director's Office & Commissions	324,358	286,970	158,362	209,831	(51,469)
Permit Compliance Team	150,082	180,494	101,606	96,151	5,455
REAP Program	43,583	40,000	20,336	9,238	11,098
Policy Coordination	24,350	99,676	55,876	9,897	45,979
Total Director's Office	542,373	607,140	336,180	325,117	11,063

Information & Education Bureau

I&E General Operations	468,958	495,622	273,671	279,028	(5,357)
Conservationist Magazine	314,335	389,372	205,679	189,009	16,670
Education Center Programs	177,629	202,238	111,560	105,359	6,201
Aquatic Education	274,745	292,685	157,516	104,949	52,567
Fish and Wildlife Information	23,300	13,111	7,384	6,070	1,314
Energy Information	44,341	73,684	40,395	32,922	7,473
Groundwater Education	3,800	15,000	9,560	3,953	5,607
Waste Mngt Information	0	37,668	21,215	14,915	6,300
319 Planning Information	12,755	41,930	23,500	36,985	(13,485)
Air Quality Title 5 Information	31,898	48,003	26,949	26,879	70
Education Workshops	4,442	8,000	4,006	3,762	244
Outdoor Learning	5,143	0	0	617	(617)
Hooked on Fishing	66	0	0	0	0
Total I & E Bureau	1,361,412	1,617,313	881,434	804,448	76,986
Total Director's Office/Info & Ed.	1,903,785	2,224,453	1,217,614	1,129,565	88,049

Administrative Services Division

Budget Unit	FY98 Actual	FY99 A/BDGI	FY99YTD A/BDGI	FY99YTD Actual	Variance Under(Ovr)
State Central Services & Indirect	96,865	100,943	100,901	108,829	(7,928)
Budget and Finance Bureau	1,150,742	1,213,845	658,772	581,418	77,354
Administrative Services Bureau	1,395,968	1,548,590	854,423	738,383	116,040
Central Data Processing Bureau	874,571	824,278	465,913	476,502	(10,589)
Licensing Bureau	379,463	478,004	262,215	220,163	42,052
Construction Services Bureau	1,013,715	1,073,769	602,748	584,747	18,001
CSB-Park Road Design	87,484	59,464	33,490	46,825	(13,335)
Land Acquisition & Mngt Bureau	486,363	517,255	290,276	274,667	15,609
Division Mngt & Misc	105,261	118,119	66,339	60,918	5,421
Special Training & Technology	0	36,878	24,522	0	24,522
Total Administrative Services Div.	5,590,432	5,971,145	3,359,598	3,092,452	267,146

Parks, Recreation and Preserves Division

Budget Unit	FY98 Actual	FY99 A/BDGI	FY99YTD A/BDGI	FY99YTD Actual	Variance Under(Ovr)
Parks Field Management	266,795	289,297	144,229	168,296	(24,067)
NW District Parks Operations	1,996,471	2,035,574	1,153,085	1,220,195	(67,110)
NE District Parks Operations	1,871,776	1,905,260	1,082,116	1,119,148	(37,032)
SE District Parks Operations	2,211,805	2,267,503	1,283,988	1,322,353	(38,365)
SW District Parks Operations	2,015,040	2,056,581	1,163,579	1,242,947	(79,368)
Parks & Preserves Prms & Mngt	703,158	717,020	387,587	403,366	(15,779)
Endangered Species Grants	6,000	32,000	16,000	5,259	10,741
Preserves Grants	8,000	16,000	8,000	16,000	(8,000)
DED Parks Grants	35,868	30,000	16,717	18,308	(1,591)
DED Trails	4,272	38,770	22,793	36,694	(13,901)
Trail Development Grants	35,580	3,282	1,848	4,469	(2,621)
Historical Grant	0	0	0	1,558	(1,558)
Total Development Grants	75,720	72,052	41,358	59,471	(18,113)
Cedar Rock	146,968	140,166	78,775	74,503	4,272
Division Management & Misc.	136,440	129,113	72,862	80,514	(7,652)

Special IT Project	0	38,717	25,463	0	25,463
SRF Loan Repayment	7,928	75,000	0	6,574	(6,574)
Total Parks, Rec. & Preserves Div.	9,446,101	9,774,283	5,457,042	5,720,184	(263,142)

Forests & Forestry Division

Budget Unit	FY98 Actual	FY99 A/BDGT	FY99YTD A/BDGT	FY99YTD Actual	Variance Under(Ovr)
Forest Nursery Production	562,259	660,769	396,057	428,344	(32,287)
Forest Nursery Services	94,367	102,752	57,437	55,284	2,153
Shimek Forest	217,374	239,187	136,412	131,031	5,381
Stephens Forest	179,317	180,692	103,842	103,631	211
Yellow River Forest	235,513	255,706	145,679	131,853	13,826
Loess Hills Forest	171,520	170,027	96,334	110,533	(14,199)
Nursery & Forests Management	144,754	160,823	91,903	76,575	15,328
Farm Forestry Services	765,351	835,555	469,466	432,201	37,265
Trees For Kids Video	11,642	0	0	565	(565)
Trees For Kids Project	34,974	30,000	15,360	2,437	12,923
Forestry Services Management	331,063	311,136	174,071	182,977	(8,906)
Division Management	113,561	129,700	74,838	77,872	(3,034)
Special IT Project	0	25,442	13,629	0	13,629
Total Forests & Forestry Division	2,861,695	3,101,789	1,775,027	1,733,303	41,724

Energy & Geological Resources Division

Budget Unit	FY98 Actual	FY99 A/BDGT	FY99YTD A/BDGT	FY99YTD Actual	Variance Under(Ovr)
Energy Bureau:					
Biomass	79,721	81,620	44,497	24,895	19,602
SIFIC A	49,169	60,394	33,748	24,465	9,283
SIFIC B	66,309	54,088	30,373	19,303	11,070
SIFIC Innovation Project	73,460	99,200	55,808	4,120	51,688
State Energy Program	537,322	596,958	335,335	319,978	15,357
SEP Industrial Technology	0	80,000	40,000	0	40,000
SEP Bldg Code #2	0	48,545	25,030	6,191	18,839
SEP FEMP 2	0	264,523	139,764	47,489	92,275
Soya Diesel	22,456	80,000	40,000	0	40,000
Building Code, Energy	3,000	8,000	4,000	5,538	(1,538)
Heating Oil & Propane Program	14,426	23,820	12,686	8,053	4,633
Energy Advancement	44,554	34,618	18,619	33,607	(14,988)
Greenhouse Gas	0	23,402	11,701	4,378	7,323
Greenhouse Gas #3	0	75,000	37,500	0	37,500
Federal Energy Bank	69,339	4,354	2,177	0	2,177
Energy/Education Study	28,363	19,389	9,695	16,073	(6,379)
Ethanol Seminar, Council of Gov's	21,877	50,000	25,000	0	25,000
Oil Overcharge - 3 Admin	198,502	229,316	127,268	79,463	47,805
EPA Risk Assessment Project	25,053	7,421	3,711	0	3,711
Rebuild Iowa	141,632	87,089	45,096	56,968	(11,872)
Rebuilding Iowa #2	0	98,426	50,338	7,963	42,375
SEP ENG Code	23,438	168,035	85,096	62,873	22,223
Federal Energy Mngt Program	31,194	59,996	29,998	4,947	25,051
Commercial Wind Energy	38,003	172,409	86,205	66,731	19,474
Wind Assessment	1,343	0	0	0	0
SEP Climate Wise	23,000	27,000	13,500	0	13,500
Ethanol Market Research	53,280	0	0	0	0
Total Energy Bureau	1,545,441	2,453,603	1,307,143	793,035	514,108

Energy & Geological Resources Division

Bureau Units	FY98 Actual	FY99 A/BDGT	FY99YTD A/BDGT	FY99YTD Actual	Variance Under(Ovr)
Geology Bureau:					
Camp Dodge GIS Support	0	21,445	12,048	1,759	10,289
Camp Dodge Wetland	3,297	4,420	2,263	570	1,693

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Camp Dodge Mapping	18,044	36,290	19,233	3,007	16,226
Floyd Cty ADW Project	12,663	16,699	9,034	12,291	(3,257)
Geology/Mineral Resources	369,792	426,707	238,887	212,119	26,768
Digital Mapping	100,132	19,386	10,182	16,149	(5,967)
Digital Survey	49,415	0	0	0	0
Wright Cty Monitoring	0	27,926	14,840	813	14,027
Hydrology/Environment	465,206	456,251	256,836	230,286	26,550
Livestock Regulation	0	76,001	42,804	29,897	12,907
State Mapping	31,342	149,367	80,399	83,900	(3,501)
SORC Water Reporting	0	0	0	20,312	(20,312)
Pesticide Mngt Project	28,442	35,756	20,301	21,736	(1,435)
Geology Information	232,408	246,497	139,611	83,097	56,514
Wellhead Protection	0	13,000	7,322	4,802	2,520
Big Springs Project	29,179	38,879	20,210	26,955	(6,745)
Geographical Info System	134,610	190,375	108,477	104,843	3,634
319 Planning - 91	24,092	21,164	11,342	880	10,462
319 Planning - 93	124,557	184,575	95,943	58,584	37,359
Walnut Creek Restoration	109,055	118,079	60,028	50,805	9,223
Wellhead Protection, EPA	52,139	59,934	31,651	40,497	(8,846)
USGS Coop. Agreement	155,492	156,154	78,077	36,673	41,404
Geology Bureau Mngt	216,821	234,159	132,187	124,972	7,215
Total Geology Bureau	2,156,686	2,533,064	1,391,672	1,164,947	226,725
Special Technology Initiative	0	10,826	7,423	0	7,423
Energy & Geological Div Mngt	95,712	101,727	56,888	54,399	2,489
Total Energy & Geological Resources Division	3,797,839	5,099,220	2,763,126	2,012,381	750,745

Environmental Protection Division

Budget Units	FY98 Actual	FY99 A/BDGT	FY99YID A/BDGT	FY99YID Actual	Variance Under(Ovr)
Water Quality Bureau:					
Wastewater (NPDES) Mngt	698,887	812,628	446,052	352,161	93,891
Storm Water Permitting	196,068	217,508	121,839	119,066	2,773
Livestock Permits (C Office)	334,331	315,029	177,692	240,926	(63,234)
State Revolving Grant Mngt	253,525	389,594	218,978	175,349	43,629
GW County Grants Mngt	60,555	53,853	29,663	29,063	600
Water Monitoring Workshop	1,812	0	0	0	0
Streamflow Statistics Report	12,745	13,470	6,767	13,195	(6,428)
Data Design	0	42,105	21,053	0	21,053
GIS Locational Data	3,135	15,250	8,589	9,404	(815)
604B Water Planning	177,522	186,227	104,362	113,398	(9,036)
Floodplain Reg & Mngt(SW)	0	101,800	57,687	10,144	47,543
Floodplain Reg & Mngt(GF)	358,733	324,737	183,556	180,933	2,623
319 Water Planning-91	25,109	0	0	0	0
319 Water Planning-92	94,707	50,000	25,000	69,663	(44,663)
319 Water Planning-93	115,336	185,000	92,500	20,383	72,117
319 Water Planning-94	301,466	200,000	100,000	70,894	29,106
319 Water Planning-95	417,223	200,000	100,000	121,639	(21,639)
319 Water Planning-96	483,501	538,253	290,643	220,552	70,091
319 Water Planning-97	180,379	205,151	102,637	175,180	(72,543)
319 Water Planning-98	0	100,000	50,000	52,230	(2,230)
Total 319 Water Planning	1,617,721	1,478,404	760,781	730,541	30,240
Water Supply Regulation	967,609	1,184,899	655,642	634,507	21,135
Water Rights Administration	137,682	147,844	83,952	73,352	10,600
Operator Certification Support	42,109	104,540	53,225	26,757	26,468
SRF Drinking Water Source	0	350,556	186,027	6,313	179,714
SRF Drinking Water Admin	0	78,776	43,839	10,197	33,642
SRF Drinking Water Tech	0	100,650	50,333	0	50,333
Well Contractor Permits	38,063	42,853	23,467	22,395	1,072
Public Wtr Supply Trng	0	10,000	5,000	0	5,000
Water Supply - Flood	12,000	0	0	0	0
Lab Certification	156,659	102,500	51,290	33,775	17,515
Stream Watershed Assessment	38,309	820	445	832	(387)
Total Water Quality	5,107,465	6,074,043	3,290,236	2,782,308	507,928

Air Quality Bureau:

Air Quality Regulation & Planning	1,989,969	1,865,725	1,010,143	852,552	157,591
Air PM 2.5 Monitoring	107,407	544,105	272,777	396,515	(123,738)
Title V, Permitting, Enforcement	3,471,625	4,873,474	2,670,898	2,003,177	667,721
Total Air Quality Bureau	5,569,001	7,283,304	3,953,818	3,252,244	701,574

Land Quality Bureau:

Waste Management	520,591	655,015	367,392	282,586	84,806
Solid Waste Authorization	52,304	63,473	35,488	28,497	6,991
GW Professional Registration	23,466	36,053	19,340	23,279	(3,939)
UST	225,783	297,868	166,142	129,252	36,890
LUST Cleanup	562,038	759,654	430,447	312,676	117,771
Hazardous Waste Siting	58,061	164,675	91,412	54,007	37,405
Remedial Activity	24,087	82,120	45,349	6,577	38,772
AIDEX Monitoring	37	5,000	2,582	3,607	(1,025)
Superfund Program Management	176,203	192,821	108,231	111,512	(3,281)
Multisite, Investigation & Assess.	125,501	74,976	40,382	65,314	(24,932)
General Motors Site Mngt	30,228	55,626	31,590	10,577	21,013
Waste Tire Permitting	1,507	1,000	563	512	51
Emergency Response	183,286	215,899	121,502	99,913	21,589
LUST Field Support	0	0	136,962	136,952	10
BrownFields Initiative	1,271	0	0	20,707	(20,707)
BrownFields Development	97,586	0	0	0	0
Total Land Quality Bureau	2,081,949	2,604,180	1,597,382	1,285,968	311,414

Legal & Compliance Bureau:

LUST Cleanup	540,509	580,746	328,483	281,894	46,589
Air Quality-Field Const. & Mngt	135,901	187,394	106,165	93,287	12,878
Air Quality-Field Title 5	402,937	538,070	304,881	279,050	25,831
Wastewater-Field	1,405,022	1,505,466	832,742	663,125	169,617
Water Supply-Field	646,629	661,994	372,312	366,375	5,937
Waste Mngt-Groundwater	634,634	715,766	406,372	364,895	41,477
Water Supply Technical Asst.	160,186	203,445	117,317	84,600	32,717
Livestock-Field	314,278	509,168	288,573	249,916	38,657
Legal/Compliance Mngt	435,135	491,260	263,909	251,788	12,121
Total Legal & Compliance Bureau:	4,675,231	5,393,309	3,020,754	2,634,930	385,824

EPD Division Mngt & Misc

EPD Division Mngt & Misc	223,494	207,782	115,449	134,290	(18,841)
Totals, EPD Division	17,657,140	21,562,618	11,977,638	10,089,740	1,887,898

Fish and Wildlife Division

Budget Units	FY98 Actual	FY99 A/BDGI	FY99YID A/BDGI	FY99YID Actual	Variance Under(Ovr)
Law Enforcement:					
NW Enforcement District	891,938	912,883	517,505	527,623	(10,118)
NW Enf Boating Safety	28,697	25,900	13,295	15,118	(1,823)
NE Enforcement District	1,121,055	1,144,914	648,297	670,850	(22,553)
NE Enf Boating Safety	13,482	11,500	5,888	4,098	1,790
SW Enforcement District	770,591	772,603	437,754	446,563	(8,809)
SW Enf Boating Safety	23,800	6,800	3,482	1,819	1,663
SE Enforcement District	965,319	992,549	562,277	581,339	(19,062)
SE Enf Boating Safety	12,440	16,000	8,192	17,274	(9,082)
NC Enforcement District	833,275	817,076	463,530	481,674	(18,144)
NC Enf Boating Safety	17,662	16,700	8,550	11,645	(3,095)
SC Enforcement District	732,577	952,295	539,290	376,218	163,072
SC Enf Boating Safety	241,243	52,120	33,434	109,469	(76,035)
Hunter Safety	410,608	360,787	197,082	217,356	(20,274)
Boating Safety	279,974	370,819	208,353	272,962	(64,609)
Snowmobile Safety	83,780	68,078	38,099	29,297	8,802
DPS AICO Grant	0	9,000	6,300	0	6,300
Big Creek Range Maint.	7,064	7,000	3,584	5,951	(2,367)
Boat Equipment Special	0	300,000	209,060	180,368	28,692

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Cons. Law Bureau Mngt	223,941	448,401	250,153	203,628	46,525
Total Law Enforcement	6,637,446	7,285,425	4,154,124	4,153,252	872
Fisheries:					
Hatcheries:					
Big Springs Fish Hatchery	218,264	224,517	125,361	123,073	2,288
Decorah Fish Hatchery	260,875	264,704	146,897	131,805	15,092
Fairport Fish Hatchery	155,124	165,642	92,717	90,595	2,122
Manchester Fish Hatchery	256,660	265,704	148,160	145,557	2,603
Rathbun Fish Hatchery	492,310	524,418	285,877	312,777	(26,900)
Spirit Lake Fish Hatchery	361,034	383,650	208,076	197,689	10,387
Total Hatcheries	1,744,267	1,828,635	1,007,088	1,001,496	5,592
Fisheries Management:					
NW District	602,267	643,465	362,721	341,092	21,629
NE District	659,233	669,545	380,228	399,242	(19,014)
SW District	502,013	515,410	293,889	286,488	7,401
SE District	528,977	562,155	321,895	301,869	20,026
Total Fisheries Management	2,292,490	2,390,575	1,358,734	1,328,691	30,043
Fisheries Research:					
Mississippi Monitoring	328,018	344,744	195,393	167,212	28,181
Aquatic Education Project	151,318	101,479	57,487	62,843	(5,356)
Milfoil Project	75,159	100,927	47,682	37,006	10,676
Bellevue Fisheries Research	176,869	181,837	103,452	100,373	3,079
Chariton Fisheries Research	277,517	273,084	156,731	145,070	11,661
Cold Springs Fisheries Research	137,688	129,318	73,600	79,131	(5,531)
Bozeman Project	0	12,000	6,000	0	6,000
Manchester Fisheries Research	126,578	128,728	73,953	82,904	(8,951)
Fish Production Drug Study	20,000	20,000	20,000	20,000	0
Rathbun Fisheries Research	154,394	167,931	93,609	90,584	3,025
Spirit Lake Fisheries Research	144,384	138,177	79,093	89,930	(10,837)
MARIS Study	0	10,000	5,000	0	5,000
Total Fisheries Research	1,591,925	1,608,225	911,999	875,053	36,946
Fisheries Bureau Mngt	461,215	528,482	281,390	242,438	38,952
Total Fisheries Bureau	6,089,897	6,355,917	3,559,211	3,447,678	111,533
Wildlife Bureau:					
Wildlife Area Maint. & Mngt:					
NW District Operations	1,096,763	1,096,021	607,633	598,156	9,477
NE District Operations	1,009,561	1,011,560	561,882	563,246	(1,364)
SW District Operations	1,026,006	1,060,938	588,065	565,419	22,646
SE District Operations	1,200,085	1,267,609	703,091	717,725	(14,634)
Wetlands Project Support	15,317	1	1	0	1
Wildlife Area Maint. & Mngt	4,347,732	4,436,129	2,460,671	2,444,546	16,125
Corps WMA Areas, Cond. 5:					
Saylorville Cond 5 WMA	44,719	36,603	20,621	21,478	(857)
DM River Cond 5 WMA	18,788	12,500	7,779	4,493	3,286
Missouri River Cond 5 WMA	0	4,000	2,048	1,348	700
Red Rock Cond 5 WMA	107,526	160,227	86,222	146,528	(60,306)
Coralville Cond 5 WMA	39,799	51,962	29,109	30,560	(1,451)
Riverton Cond 5 WMA	1,500	0	0	3,046	(3,046)
Rathbun Cond 5 WMA	39,030	30,153	16,689	20,674	(3,985)
Total Corps WMA Mngt	251,362	295,445	162,468	228,127	(65,659)
Total WMA Maint. & Mngt	4,599,094	4,731,574	2,623,139	2,672,673	(49,534)
Wildlife Research:					
Boone Research, State	132,208	190,964	107,312	74,646	32,666
Boone Research, Federal	107,845	134,551	75,287	72,972	2,315
Chariton Research, State	56,451	77,478	44,256	59,462	(15,206)
Chariton Research, Federal	131,166	128,990	72,772	33,846	38,926
Clear Lake Research, Federal	169,898	144,004	81,463	69,775	11,688
Clear Lake Research, State	115,378	86,560	49,571	80,864	(31,293)
Wildlife Diversity Project	226,346	252,892	139,357	121,471	17,886
Harvest Information Program Grant	12,018	40,000	20,480	0	20,480
Total Wildlife Research	951,310	1,055,439	590,499	513,036	77,463
Prairie Seed Project	0	0	0	50,377	(50,377)

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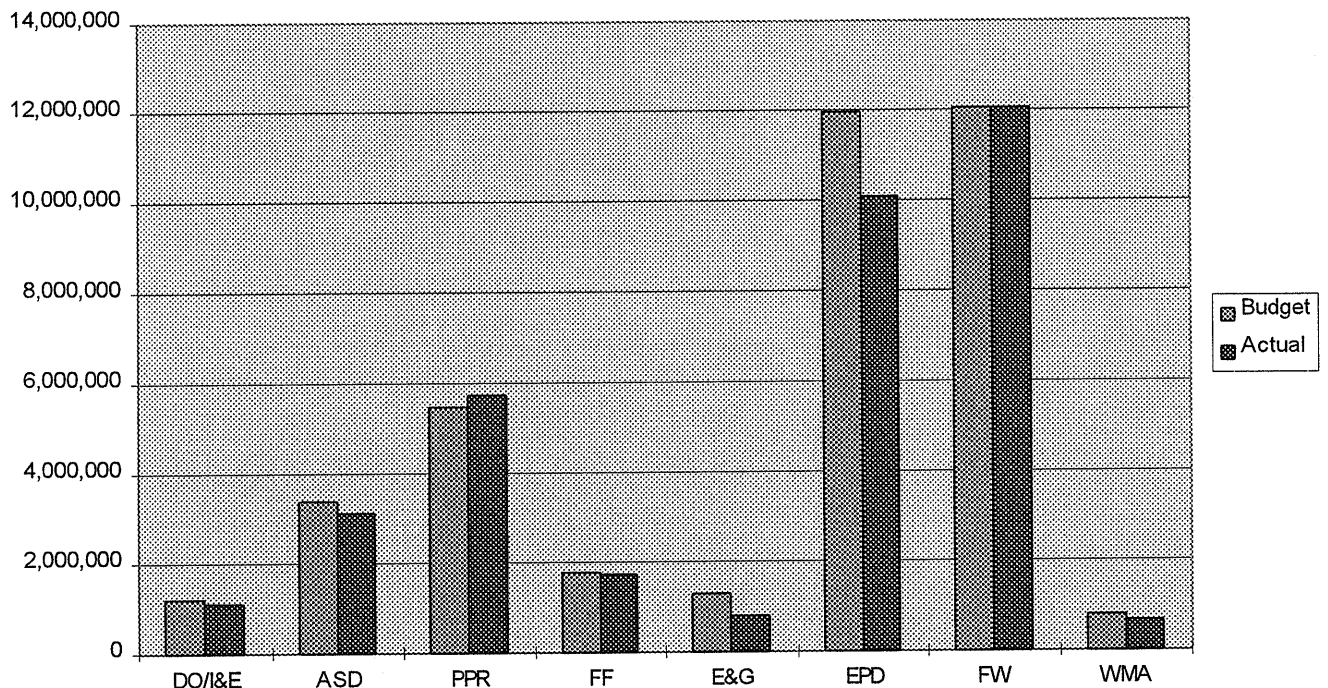
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Wildlife Depredation Mngt	137,672	166,497	97,044	62,963	34,081
Wildlife Bureau Mngt & Misc	1,441,247	1,435,855	791,570	922,395	(130,825)
Total Wildlife Bureau	7,129,323	7,389,365	4,102,253	4,171,067	(68,814)
FW Division Mngt & Misc	429,916	409,023	217,562	218,535	(973)
Total FW Division	20,306,582	21,439,730	12,033,150	12,040,909	(7,759)

Waste Management Assistance Division

Budget Units	FY98 Actual	FY99 A/BDGI	FY99YTD A/BDGI	FY99YTD Actual	Variance Under(Ovr)
Buy Recycled Business Alliance	1,500	1,500	794	0	794
Planning & Grants	197,986	172,650	92,954	84,226	8,728
Landfill Alternatives	135,231	156,416	86,758	58,712	28,046
Waste Tires Program	44,427	54,438	30,187	26,181	4,006
Waste Recycling	277,330	289,774	156,810	126,231	30,579
Household Hazardous Waste Adm	225,297	266,668	141,452	83,555	57,897
Waste Reduction Assistance	122,153	159,303	88,627	66,085	22,542
PPIS Set Aside	0	26,470	13,313	0	13,313
Pollution Prevention (WRAP)	180,557	69,100	36,489	52,954	(16,465)
Pollution Prevention (WRAP)2	0	120,200	0	0	0
Waste Reduction Program	23,182	5,100	2,611	25,737	(23,126)
Solid Waste Reduction Grant	15,124	0	0	11,961	(11,961)
Collection Efficiency Project	0	17,500	5,750	326	5,424
Sustainable Conference	24,000	0	0	0	0
WMA Division Mngt	277,320	260,325	145,209	130,516	14,693
Waste Mngt Assistance Totals	1,524,107	1,599,444	800,955	666,484	134,471

1/31/99 Division Status



Mr. Slatterly reviewed the divisional budget reports.

Brief discussion followed regarding costs for air monitoring.

INFORMATIONAL ONLY

TOXIC CLEANUP DAY SERVICE DELIVERY, CONTRACT AMENDMENT (SAFETY-KLEEN)

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

The commission is requested to authorize the Director to execute this amendment for the 1999 spring Toxic Cleanup Day events. The department recommends that the contract 99-G340-01 be amended to include the nine spring Toxic Cleanup Day events at a total cost not to exceed \$193,164.00

The commission authorized the Director to implement a contract with Safety-Kleen Corp. for the purpose of disposal of wastes collected at Toxic Cleanup Day events for the fiscal year 1999. The original contract included a provision to add additional Toxic Cleanup Day events for the spring once the counties were selected. The additional Toxic Cleanup Days will be on the same basis as set forth in the original contract.

The following nine counties have been selected to host the spring events:

Adair	Dickinson	Ida
Appanoose	Hamilton	Louisa
Des Moines	Howard	Shelby

The DNR has negotiated a local cost share with each county.

TOXIC CLEANUP DAYS SPRING 1999 LOCATIONS

<i>April 17</i>	<i>April 24</i>	<i>May 8</i>	<i>May 15</i>	<i>May 22</i>
<i>Hamilton</i>	<i>Shelby</i>	<i>Adair</i>	<i>Louisa</i>	Appanoose
<i>Ida</i>		Des Moines	<i>Howard</i>	Dickinson

	Adair County
Coordinator	Dennis Reha
Address	Adair County Sanitary Landfill
	1645 State Highway 25
	Menlo, IA 50164
Telephone No.	515-743-8343
Date of TCD	May 8, 1999

Location Adair County Fairgrounds

Appanoose County

Coordinator Rodger Kaster
Address Rathbun Area Solid Waste Commission
1209 South 18th St.
Centerville, IA 52544

Telephone No. 515-437-7279

Date of TCD May 22, 1999

Location Appanoose County Fairgrounds

Des Moines County

Coordinator Gina Hardin
Address Des Moines County Emergency Mngmt. Agency
512 North Main
Burlington, IA 52601

Telephone No. 319-753-8206

Date of TCD May 8, 1999

Location Des Moines County Fairgrounds

Dickinson County

Coordinator John Walters
Address Dickinson County Conservation Board
1924 240th Street
Milford, IA 51351

Telephone No. 712-338-4786

Date of TCD May 22, 1999

Location City of Milford Maintenance Building

Hamilton County

Coordinator Kelly Wirtz
Address Hamilton County Solid Waste Commission
Webster City Municipal Building
400 Second Street
Webster City, IA 50595

Telephone No. 515-832-1632

Date of TCD April 17, 1999

Location

Howard County

Coordinator Craig Fencil
Address Howard County Recycling Coordinator
County Courthouse
137 North Elm Street
Cresco, IA 52136

Telephone No. 319-547-4505
Date of TCD May 15, 1999
Location Howard County Fairgrounds

Ida County
Coordinator Richard Madsen
Address Ida County Sanitarian
401 Moorehead St., Courthouse
Ida Grove, IA 51445

Telephone No. 712-364-2533
Date of TCD April 17, 1999
Location Ida County Sanitary Landfill

Louisa County
Coordinator Deb Krohn
Address County Conservation Board
P.O. Box 261,
609 James L. Hodges Ave.
Wapello, IA 52653
Telephone No. 319-523-8381
Date of TCD May 15, 1999
Location Louisa County Fairgrounds

Shelby County
Coordinator Dan Ahart
Address Shelby County Area Solid Waste Agency
1129 1200th St.
Harlan, IA 51537
Telephone No. 712-755-5954
Date of TCD April 24, 1999
Location Shelby County Recycling Transfer Station

Ms. Stanley distributed copies of a map of the state showing the location of the TCD's from 1986 through Spring of 1999. She reviewed details of the contract amendment and asked the Commission's approval.

Chairman Ehm asked about the contract with Safety-Kleen.

Ms. Stanley noted that Safety-Kleen does the actual hauling away and proper disposal. She related that Safety-Kleen has purchased Laidlaw Environmental.

Motion was made by Rozanne King to approve the Toxic Cleanup Days contract amendment with Safety-Kleen. Seconded by Terrance Townsend. Following a brief discussion regarding costs the motion carried unanimously

APPROVED AS PRESENTED

LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM CONTRACTS APPROVAL

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

The Department received seventeen (17) applications, requesting approximately \$3.4 million in financial assistance, for consideration during the December 1998 round of funding. Five (5) applicant projects were selected to receive \$370,845 in grants and zero interest loans. A description of each selected project, the project type, the amount and type of funding assistance is attached.

The Department is requesting approval to enter into contracts with selected applicants subject to satisfactory negotiation of budget, match and deliverables.

Applications Recommended By Applicant Type	# Recommended	Award Amount
Local Government	3	\$140,598
Private For Profit	1	\$173,340
Private Not For Profit	1	\$56,907
Applications Recommended By Project Type	# Recommended	Award Amount
Waste Reduction at the Source	1	\$56,907
Demonstration	2	\$230,378
Education	2	\$83,560
Awards – Grant / Zero Interest Loan	Percent	Award Amount
Grant	37.9%	\$140,598
Loan	62.1%	\$230,247

At this time, the Commission is requested to approve the Department to enter into contracts with selected applicants subject to satisfactory negotiation of budget, match and deliverables.

LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM APPLICATION SELECTIONS -- December 1998

Five (5) projects from the 17 applications submitted for consideration were selected to receive \$370,845 in grants and zero interest loans. The following provides a description of each selected project, the project type, and the amount and type of funding assistance.

Applicant: Linn County Conservation Board 1890 County Home Rd. Marion, IA 52302
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Project Title: Wickup Hill Outdoor Learning Center

	<p>Contact: Randy Burke 319-398-3505</p> <p>Request: \$ 57,038 – Grant – Demonstration</p> <p>Local Match: \$30,712 (100% cash match)</p> <p>Applicant: Local Government</p> <p>Description: The applicant is proposing to build an education center using recycled content construction materials. The applicant will develop an educational program, including a video and interpretive displays about the facility's recycled content building materials, recycling programs, energy-efficient operation and minimal-maintenance natural landscaping.</p>
	<p>Primary deliverables:</p> <ul style="list-style-type: none"> • A side by side comparison of recycled and non-recycled content carpet and decking. • Documentation of the amount and kind of building site material recycled from the construction process. • Evaluate the education program through special program(s) attendance, number of presentations, and user surveys. • Assemble a list of recycled content materials used during construction and those that were not used and why. • Information learned will be shared with other conservation departments • Evaluation of the recycled content materials performance during construction by builder and architect. <p>Target Area: The project will effect Linn county residents and visitors.</p> <p>Grant Uses: Grant assistance is requested for various building materials made from recycled content products as well as the development of recycling educational materials.</p>

	<p>Applicant: Renewable Resource Recovery, L.C. 237 – 3rd Avenue Alburnett, IA 522202</p> <p>Request: \$ 173,340 – Loan – Demonstration</p> <p>Local Match: \$159,460 (38% in-kind & 62% cash)</p> <p>Applicant: Private For Profit</p> <p>Description: The applicant is proposing to convert used oil absorbents into a uniform fuel product by blending it with sawdust. The applicant will expand the current oil filter collection program to include oil absorbents. The absorbents mixed with sawdust will be delivered to an existing Cedar Rapids facility where they will be gasified to produce electricity which will be sold to IES Utilities. Once the plant is fully operational the applicant estimates diverting 10,000 tons of used oil absorbents annually from the landfill.</p> <p>Project Title: Specialty Fuel Blending</p> <p>Contact: Bob Walters 319-842-2532</p> <p>Project Deliverables:</p> <ul style="list-style-type: none"> • BTU production • Tonnage diversion of both waste streams • Business/industry generator types • Detailed description of operations including costs, processing, and revenues. • Survey of oil absorbent suppliers as to attitudes and success. <p>Target Area: The business will be based in Linn county with a multi-state service area</p> <p>Loan Uses: Loan assistance is requested for the construction of a 20,000 square foot building, a pulverizer, shredder, and conveyor system.</p>
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Applicant:	Siouxland Regional Recycling Center	Project Title:	Waste Reduction &
	1701 Terminal Drive		Recycling Education
	Sioux City, IA 51105	Contact:	John Green (712) 279-6292
Request:	\$80,440 – Grant – Education		
Local Match:	\$45,141 (42% cash & 58% in-kind)		
Applicant:	Local Government		
Description:	The applicant is proposing to develop an interactive computer program targeting fifth graders to educate them about the benefits of recycling. A copy of the computer program will be provided to each Woodbury County library and school. The program will be integrated into the 5 th grade curriculum. An informational recycling handbook will be sent to all county residents to reinforce solid waste reduction in the household.		
	Primary Deliverables:		
	<ul style="list-style-type: none"> • A computer program with state wide application for recycling education. • Development and distribution of a handbook outlining recycling opportunities to all Woodbury County households. • Development of a calendar highlighting household hazardous waste, recycling, environmentally sound buying habits, composting, and tire recycling and distributed to all Woodbury County households. • Pre and post project monthly recycling rates. • Feedback from the school district on project impact. 		
Target Area:	Woodbury County with transferability statewide.		
Grant Uses:	Grant assistance is requested to produce and distribute the software program, develop handbook, and distribute final products.		
Past Award:	<ul style="list-style-type: none"> • \$300,000 in 1992 to assist in the building of a recycling center. 		

Applicant:	Landfill of North Iowa	Project Title:	Elementary School Educational
	15942 Killdeer Ave		Programs
	Clear Lake, IA 50428	Contact:	Bill Rowland – 515-357-5452
Request:	\$ 3,120 – Grant – Education		
Local Match:	\$ 1,680 (100% cash)		
Applicant:	Local Government		
Description:	The applicant is proposing to present "The Magic of Recycling" preformed by Timothy Wenk to 12 elementary schools in the Landfill's service area. They will follow up the project with W.R. and recycling presentations at the participating schools. The project will occur during Earth Day Week. Mr. Wenk has performed at Iowa Recycling Association's 1998 Fall Conference, ISOSWO's 1997 Fall Conference, all of Clinton Counties Schools in 1997, and all Carroll County students, kindergarten through fourth grade in 1997. Carroll and Clinton counties have expressed an increase in recycling participation following the presentations.		
	Primary Deliverables:		
	<ul style="list-style-type: none"> • Pre and post project evaluations regarding recycling participation to evaluate the impact of this interactive educational approach. • Distribution of lesson plans based on the magic show for teacher use in the classroom. 		

- Surveys of school faculty on benefits and continuation of classroom waste reduction and recycling lessons.

Target Area: The presentations will take place in Cerro Gordo and Franklin Counties.

Grant Uses: The grant is requested to provide partial payment of Timothy Wenk's fee for performing.

- Past Awards:**
- \$140,000 grant in 1991 for a regional yard waste-composting site
 - \$230,000 loan in 1997 for a wood waste recycling project
 - \$70,210 loan in 1998 for an asphalt-recycling project (pending)

Applicant: **Aging Resources of Central Iowa**
5835 Grand Avenue, Suite 106
Des Moines, IA

Request: \$ 56, 907 – loan– Waste Reduction

Project Title: Elderly Nutrition Program
Contact: Alice Musselman
515-225-6142

Local Match: \$32,023 (20% cash & 80% in-kind)

Applicant: Private Not For Profit

Description: The applicant is proposing to purchase reusable meal trays and serviceware for meal delivery programs for the elderly. In fiscal year 1998, the applicant served 780,020 congregate and home delivered meals to 11,400 clients. 531,390 of these meals were delivered on disposable ware. The applicant proposes to decrease its use of disposable ware by 6% with this project.

Primary Deliverables:

- Economic study of the cost of reusable dishware both in terms of initial purchase, water, and energy consumption as compared to the price of buying and landfilling disposable dishware.
- Survey clients, volunteer, and staff of their opinions on the reusable serviceware.
- Constant temperature control testing.

Target Area: The program serves meals in Jasper, Madison, Marion, and Story Counties

Grant Uses: The grant is requested to purchase an industrial dishwasher, reusable dinnerware, and reusable trays to serve additional clients in the service area.

- Past Awards:**
- \$113,846 grant in 1995 for establishing a reusable tray program.

Ms. Stanley explained the process used to select applicants, which included reviewers from the solid waste community along with department staff. She further explained details of each project.

Gary Priebe asked about the Aging Resources of Central Iowa project and whether the 6 percent decrease in disposable ware is accurate.

Tom Anderson, Waste Management Assistance Division, explained that this project covers only four counties, not the whole service area which is a twenty county area.. He related that the six per cent would be accurate for the four county area.

Rozanne King asked if there is any way to tell how many of meal delivery programs have moved to the reusable type products.

Mr. Anderson explained that over the years every agency on aging has been contacted and some of them have been totally converted to reusable products. He related that he could provide additional information on that.

~~Brief discussion followed regarding the intent of contracts being subject to satisfactory negotiation of budget, match and deliverables.~~

Motion was made by Kathryn Murphy to approve the Landfill Alternatives Financial Assistance Program Contracts as presented. Seconded by Rita Venner. Motion carried unanimously.

APPROVED AS PRESENTED

PUBLIC PARTICIPATION

Chairman Ehm announced public participation at 10:30 a.m.; no one requested to speak.

PROPOSED RULE--CHAPTER 105, IOWA ADMINISTRATIVE CODE, ORGANIC MATERIALS COMPOSTING FACILITIES

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

The Commission is provided for information the attached Notice of Intended Action to rescind Chapter 105, "Yard Waste Disposal and Solid Waste Composting Facilities," and to adopt a new Chapter 105, "Organic Materials Composting Facilities," Iowa Administrative Code.

The Waste Management Assistance Division established a 20 member Advisory Committee to revise and update the yard waste disposal and solid waste composting facilities rules to provide operators more flexibility in designing compost facilities while maintaining protection for the environment. The Advisory Committee represents the Division's stakeholders, including business and industry, state agencies, federal agencies, solid waste organizations, non-profit organizations, educators, and local governments. Rules focusing on best practices in composting have been developed.

The Advisory Committee assisted in developing rules that will result in greater responsiveness to both public and private sector facility operators. All Compost facilities, existing and new, will incorporate best management practices as a result of these rules.

The Advisory Committee's involvement will not end with adoption of these proposed administrative rules. A team comprised of Department staff and volunteers from the Advisory Committee will continue to review proposals received through the Department's Composting

Initiative. The Advisory Committee will develop the compost facility operator training certification program that operators are required by these rules to attend. The Department will continue to seek committee members' input in evaluating the effectiveness of the rules.

At this time the Commission is provided for its information this Notice of Intended Action to rescind Chapter 105, "Yard Waste Disposal and Solid Waste Composting Facilities," and to adopt a new Chapter 105, "Organic Materials Composting Facilities," Iowa Administrative Code. The Waste Management Assistance Division anticipates submitting to the Commission this Notice of Intended Action for approval at the March 15, 1999 Commission meeting.

(A copy of the proposed rule is on file in the department's Records Center)

Ms. Stanley presented details of the proposed rule noting a cooperative effort was used in development of the rules, through the use of an advisory committee. She added that these rules will be more user friendly and will incorporate the dead animal composting policy. Ms. Stanley noted that the rules clarify which type of composting facilities are exempt from needing a permit. She related that the committee is still discussing financial assurance issues.

Rita Venner asked how 105.3(11) will be monitored in requiring storage of finished compost to be limited to 12 months.

Jeff Geerts, Waste Management Assistance Bureau, stated there is a reporting requirement which asks how much was received and how much was sold during the year, and that information is used to do a mass balance. He noted that same requirement was in the old rules.

Brief discussion followed regarding registering and testing of the compost, and Commissioner Venner commented that it would be important to know the contents/nutrients of the compost. Also discussed was the issue of financial assurance.

INFORMATIONAL ONLY

MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

RULEMAKING STATUS REPORT February 1, 1999

PROPOSAL	NOTICE TO COMM	NOTICE PUBLISH	RULES REVIEW COMM	HEARING	FINAL SUMMARY TO COMM	RULES ADOPTED	RULES PUBLISH	RULES REVIEW COMM	RULE EFFECTIV E
1. Ch. 12 – Environmental Audits	9/21/98	10/21/98	11/10/98	11/10/98	12/21/98	12/21/98	1/13/99	2/08/99	*2/17/99
2. Ch. 20, 21, 22, 23 & 25 – NESHAPS, Internal Corrections and Clarifications	2/15/99	*3/10/99	*4/06/99	*4/ /99	*5/17/99	*5/17/99	*6/16/99	*7/06/99	*7/21/99
3. Ch. 40, 41, 42, 43, & 83 – Water Supply & Environmental Lab Certification	*3/15/99	*4/07/99	*5/09/99	*5/ /99	*6/21/99	*6/21/99	*7/14/99	*8/09/99	*8/18/99
4. Ch. 55 – Aquifer Storage and Recovery	2/15/99	*3/10/99	*4/06/99	*4/ /99	*5/17/99	*5/17/99	*6/16/99	*7/06/99	*7/21/99
5. Ch. 60, 62 & 63 – Water Quality Rule Updates	Adopted	And Filed	Without	Notice	1/19/99	1/19/99	*2/24/99	*3/9/99	*3/31/99
6. Ch. 65 – Animal Feeding Operation Rules	11/19/98	12/30/98	1/05/99	1/19-22/99	*3/15/99	*3/15/99	*4/07/99	*5/09/99	*5/12/99
7. Ch. 105 – Organic Materials, Composting	*3/15/99	*4/07/99	*5/09/99	*5/ /99	*6/21/99	*6/21/99	*7/14/99	*8/09/99	*8/18/99
8. Ch. 209 – Landfill Alternative Financial Assistance Program	12/21/98	1/13/99	2/08/99	*2/17/99	*3/15/99	*3/15/99	*4/07/99	*5/09/99	*5/12/99

Monthly Variance Report – January 1999

No.	Facility	Program	Subject	Decision	Date
1	Cherokee, City of	Wastewater	Bar Racks and Screens	Approved	01/12/99
2	West Fork Big Creek Watershed-Site W-37-Ringgold County	Flood Plain	Storm/Storage Capacity	Approved	01/11/99
3	West Fork Big Creek Watershed-Site W-6-Ringgold County	Flood Plain	Storm/Storage Capacity	Approved	01/11/99
4	Buchanan County Sanitary Landfill	Solid Waste	Financial Assurance	Approved	01/04/99
5	Central Disposal Systems, Inc. Landfill-Winnebago County	Solid Waste	Groundwater Monitoring	Approved	01/06/99
6	John Deere Foundry-Waterloo	Solid Waste	Waste Sand Reuse	Approved	01/14/99
7	John Deere Foundry-Waterloo	Solid Waste	Permit Exemption	Approved	01/14/99
8	Lucas Monroe Sanitary Landfill	Solid Waste	Groundwater Monitoring	Approved	01/06/99
9	Scott Area Sanitary Landfill-Operational	Solid Waste	Financial Assurance	Approved	01/06/99
10	Scott County Sanitary Landfill-Closed	Solid Waste	Financial Assurance	Approved	01/06/99

Monthly Spill Report – January 1999

From January 1, 1999, through January 31, 1999, 30 reports of hazardous conditions were received.

Month	Total Incidents	Petroleum Product	Agri - Chemical	Other Chemicals	Handling and Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
Oct.	52(70)	28(37)	11(17)	13(16)	20(28)	2(6)	24(28)	1(5)	0(0)	5(3)
Nov.	57(44)	35(25)	9(9)	13(10)	30(15)	2(3)	23(23)	0(2)	0(0)	2(1)
Dec.	41(52)	23(27)	5(19)	13(6)	21(21)	2(4)	15(22)	1(4)	0(0)	2(1)
Jan.	30(42)	15(32)	0(3)	15(7)	20(19)	0(2)	6(16)	2(1)	0(1)	2(3)

(numbers in parentheses for the same period in fiscal year '98)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
6	2	4	1	4	13

ENFORCEMENT REPORT UPDATE February 1, 1999

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Full Moon Saloon, Buchanan Co. (1)	Drinking Water	Monitoring/Reporting-Bacteria and Nitrate	Order/Penalty \$500	1/04/99
Wee Willy's, Quasqueton (1)	Drinking Water	Monitoring/Reporting-Nitrate	Order/Penalty \$100	1/04/99
Miles, City of (1)	Drinking Water	MCL – Bacteria; Monitoring/Reporting-Bacteria	Order	1/04/99
West Union Cooperative Co., West Union (1)	Wastewater	Prohibited Discharge	Order/Penalty \$10,000	1/04/99
Country Air Mobile Home Court, Benton Co. (1)	Drinking Water	Monitoring/Reporting-Bacteria	Order/Penalty \$400	1/04/99
Supervisor's Club, Inc., Waterloo (1)	Drinking Water	MCL – Bacteria	Order	1/04/99
Macedonia, City of (4)	Drinking Water	MCL – Bacteria	Order	1/04/99
Hofer's Danceland Ballroom, Walford (1)	Drinking Water	Permit Renewal Fee	Order/Penalty \$100	1/04/99
Clair-View Acres Public Water System, Delhi (1)	Drinking Water	Permit Renewal Fee	Order/Penalty \$100	1/04/99
Spillway Supper Club, Harpers Ferry (1)	Drinking Water	Permit Renewal Fee	Order/Penalty \$100	1/04/99

Nancy's Country Inn, Cedar Rapids (1)	Drinking Water	Permit Renewal Fee	Order/Penalty \$100	1/04/99
Plantation Village Mobile Home Park, Burlington (6)	Drinking Water	Operation Without Permit; Monitoring/Reporting-Nitrate; Operational Violations	Order/Penalty \$500	1/08/99
Plantation Village Mobile Home Park, Burlington (6)	Wastewater	Operations Without Permit; Monitoring/Reporting; Operational Violations	Order/Penalty \$2,000	1/08/99
Holland Contracting Corp., Forest City (2)	Air Quality	Open Burning	Order/Penalty \$500	1/13/99
River City Hardwoods, Inc., Muscatine (6)	Air Quality	Open Burning	Order/Penalty	1/13/99

SUMMARY OF ADMINISTRATIVE PENALTIES

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Marvin Kruse d/b/a K & C Feeds (Luana)	UT	300	12-01-92
Duane Pospisil d/b/a Duane's Service (Lisbon)	UT	1,000	5-04-93
Melvin Foubert d/b/a Mel's Repair Service (What Cheer)	UT	400	12-13-93
Stan Simmer d/b/a Tire City (Des Moines)	UT	600	12-21-93
Leland Koster and Jim Koster (Alexander)	UT	350	6-11-94
Coralville Lake Terrace Assn. (North Liberty)	WS	550	9-01-94
Bill Dettman d/b/a Dettman Oil Co. (Fonda)	UT	2,800	9-15-94
*Dale Hall d/b/a Hall Oil Co. (Des Moines)	UT	250	11-15-94
William R. Hennessey & Son, Inc. (Cedar Rapids)	UT	2,670	12-06-94
Donald K. Schmidt (Cedar Rapids)	UT	3,000	12-27-94
Collier Oil Co.; Clark Concrete Co. (Onawa)	UT	3,300	1-22-95
Rock Falls Lounge (Rock Falls)	WS	1,500	6-12-95
David A. Dohlman d/b/a Dave's Conoco (Dumont)	UT	2,300	7-18-95
M & L Service; Loyal Dorr; Mark Courtney (Guthrie Center)	UT	1,000	8-30-95
Norman Klynsmas d/b/a OK One Stop Service (Hospers)	UT	2,000	9-01-95
Searsboro, City of	WW	2,500	11-08-95
Economy Solar Corp. (Monticello)	AQ	7,500	11-25-95
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Patrick McCoy (Keokuk Co.)	AQ/SW	2,000	2-10-96
Cheryl Straughn d/b/a Cher's Mini Mart (Chapin)	UT	600	2-21-96
David Kramer (Camanche)	UT	600	5-03-96
McClelland Bar & Grill (Council Bluffs)	WS	100	5-06-96
Paul L. Dunkel (Delaware Co.)	SW	1,500	6-27-96
*Orrie's Supper Club, Inc. (Hudson)	WS	650	7-15-96
Plantation Village Mobile Home Park (Burlington)	WW	1,000	8-01-96
Dennis L. Mattison (Winnebago Co.)	AQ/SW	600	9-03-96
Riverside Lutheran Bible Camp (Story City)	WS	500	10-28-96
Mark Anderson d/b/a Westside Park for Mobile Homes; M A, Inc. (Burlington)	AQ/SW	1,000	1-03-97
J.F.V. Corporation; Frank Hawk; Sharon Hawk (Prole)	UT	600	2-19-97
Hofer's Danceland Ballroom (Walford)	WS	3,200	4-19-97

Ronald Slocum; Tammy Lynn Determan (Marshall Co.)	SW	10,000	5-24-97
*Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	9,530	6-05-97
Fibred-Iowa, Inc. (Iowa Falls)	AQ	2,000	7-29-97
South Park Mobile Home Park (Iowa Falls)	WW	1,000	1-04-98
Russell Barkema d/b/a Barkema Construction (Wright Co.)	AQ/SW	1,000	3-31-98
# Harold Unternahrer (Washington Co.)	AFO	1,000	4-06-98
Sale-R-Villa Const., Inc. (Perry)	AQ	7,000	5-01-98
Larry Cope, Susan E. Cope, Bill VanPelt (Carlisle)	WW	1,500	5-05-98
# Troy Hanson (Wright Co.)	AFO	1,500	8-14-98
# Rodney Mullins (Humboldt Co.)	AFO	500	8-22-98
Albert Fleming (Clayton Co.)	FP	2,000	9-06-98
Oakland Mills Store (Mt. Pleasant)	WS	200	9-07-98
# Vande Haar Dairy Farm (Marion Co.)	AFO	3,000	9-15-98
Kalona Golf Club (Washington Co.)	WS	250	10-31-98
Mike's Fisherman's Wharf (Dubuque)	WS	2,500	11-01-98
Jeff Bendickson; Karen Bohl (Manhly)	AQ/SW	500	11-02-98
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
Action Jack's Paintball Park (Polk Co.)	SW/FP	10,000	11-07-98
Tyler Excavating; Fred Knosby (Warren Co.)	SW	1,000	11-08-98
Leland DeWitt (Louisa Co.)	AQ/SW	3,000	11-21-98
Randy Harbach d/b/a Randy's Sanitation (Delaware Co.)	SW	5,000	11-22-98
* Gary Lund Construction (Eagle Grove)	SW	1,250	3-01-99
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Russell Zook d/b/a Haskin's Recycling (Washington Co.)	AQ/SW	5,000	12-19-98
Arnold Ambrosen (Leland)	WS/WW	1,000	12-27-99
The Heights (Monticello)	WS	500	12-28-98
The Sportsmen (Oelwein)	WS	500	12-28-98
* Home Asbestos & Lead Abatement Services (Johnston)	AQ	1,450	2-15-99
Mark Geerdes (Kossuth Co.)	SW	550	2-04-99
Jim Walker (Johnson Co.)	AQ/SW	3,000	2-14-99
* Dakota Mobile Home Park (Oxford)	WW	875	2-15-99
* Joseph Barragy; Tom Barragy; J & M Woodshavings, Inc. (Cerro Gordo Co.)	AQ/SW	1,500	2-15-99
Aeroplane Inn (Honey Creek)	WS	1,125	2-16-99
* Milton, City of	SW/AQ	500	2-16-98
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
Super 20 Mobile Home Park (Dubuque)	WS	1,000	3-06-99
Russ Winkowitsch (Butler Co.)	FP	500	3-06-99
Phillips Recycling; Jeff Phillips (Story Co.)	WW	1,800	3-06-99
J Wood Park (Clayton Co.)	WS	100	3-06-99
West Union Cooperative Co. (West Union)	WW	10,000	3-10-99
Koch's Meadow Lake Campground (Cedar Co.)	WS	200	3-11-99
Clair View Acres Store (Delhi)	WS	100	3-13-99
Nancy's Country Inn (Cedar Rapids)	WS	100	3-13-99
Plantation Village Mobile Home Park (Burlington)	WS	500	3-13-99
Plantation Village Mobile Home Park (Burlington)	WW	2,000	3-13-99
Spillway Supper Club (Harpers Ferry)	WS	100	3-14-99
Wee Willy's (Quasqueton)	WS	100	3-15-99
* R.V. Hopkins, Inc. (Davenport)	AQ	14,200	3-16-99
River City Hardwoods, Inc. (Muscatine)	AQ	2,000	3-22-99
# James Verdoorn (Sioux County)	AFO	3,000	----
Plum Enterprises; Clinton Graham (Polk Co.)	SW	1,000	----
Deer Ridge Estates (Ottumwa)	WS	100	----
Outer Limits Quick Mart (Woodbine)	WS	100	----

Country Air Mobile Home Court (Benton Co.)	WS	400	----
Hofer's Danceland Ballroom (Walford)	WS	100	----
Dayton, City of	WW	10,000	4-04-99
Midwest Farmer's Cooperative (Sheldon)	WW/HC	10,000	----
Lund Manufacturing Company, Inc. (Farley)	AQ	4,000	----
Full Moon Saloon (Jesup)	WS	500	----
TOTAL		186,000	

The following cases have been referred to the Attorney General:

Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840	11-01-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95
Oscar Hahn (Solon)	AQ/SW	2,000	8-29-95
Randy Ballard (Fayette Co.)	FP	2,000	5-30-95
ESCORP Associates Ltd.; Arnold Olson (Cedar Rapids)	AQ	10,000	7-09-95
Long Branch Tavern (Monmouth)	WS	100	5-01-96
Long Branch Tavern (Monmouth)	WS	6,400	10-28-96
Long Branch Tavern (Monmouth)	WS	200	3-18-97
Dean Williams d/b/a Williams Oil Co. (Stuart)	UT	4,800	
Carpenter Bar & Grill (Carpenter)	WS	725	9-27-96
Don Grell d/b/a Dodger Enterprises (Ft. Dodge)	AQ	10,000	2-16-93
Hidden Valley Mobile Home Court (Washington Co.)	WS	200	10-22-94
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Charlie's Supper Club (Algona)	WS	100	8-01-98
Edward Bodensteiner (Des Moines)	UT	3,200	3-31-96
Wunschel Oil, et.al. (Battle Creek)	UT	4,400	12-23-96
Tire-Tech Environmental Systems, Inc. (Muscatine)	SW/WW	2,500	
Pewe Mercantile, Inc.; Dion Pewe (Grand Mound)	UT	10,000	9-20-98
James LaFollette d/b/a Jim's Tree Service; Kurt Douglas (Marion Co.)	AQ/SW	2,000	2-16-98
*Ken Frese (Keokuk Co.)	AQ/SW	175	1-09-97
TOTAL		80,279	

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Joe Eggers, Jr., et.al. (St. Ansgar)	SW	1,000
Hickory Hollow Water Co. (Ankeny)	WS	400
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
Plymouth Cooperative Oil Co. (Hinton)	WW	1,000
King's Terrace Mobile Home Court (Ames)	WW	500
ITWC, Inc. (Malcom)	AQ	1,000
Frank Hulshizer (Benton Co.)	SW	500
LeMars, City of	WW	5,000
Crane Co. d/b/a Crane Valves (Washington Co.)	SW	500

Environmental Protection Commission Minutes

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Oakwood Park Water, Inc. (Ankeny)	WS	1,000
Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel (Shell Rock)	AQ	3,000
HiWay Texaco, Ltd.; Roger Kanne; Rick Kanne (Bagley)	UT	5,000
Joseph L. Ranker; Daryl Hollingsworth (Indianola)	UT	4,000
Tom Wiseman (Sheffield)	UT	3,500
Karl and Thelma Boylan d/b/a Boylan's Service (Northboro)	UT	1,800
William Jensen d/b/a B & B Tire & Oil Co. (Avoca)	UT	2,300
Crabtree Lake Resort (Rhodes)	WW	5,400
Elmer R. Faust d/b/a Faust Garage & Grocery (Delaware)	UT	2,300
American Coals Corporation - Site #5 (Bussey)	AQ/SW	10,000
H.E.W., Inc. aka Hazardous Environmental Wastes, Inc. aka Algona Roofing & Insulation, Inc. (Algona)	AQ	5,000
Bankston, City of	WS	550
Wunschel Oil, et.al. (Ida Grove)	UT	10,000
Jim Foust (Indianola)	SW	2,175
Titan Wheel International, Inc. (Walcott)	WW	10,000
Ronald Sizemore and Mark Murphy (Eldora)	UT	3,200
Keith Owens and Howard Maurer (Wilton)	UT	3,100
Tom Babinat d/b/a Tom's Car Care (Grundy Center)	UT	3,600
Henry and Randy Krohn d/b/a Krohn Const. (Waukee)	AQ/SW	4,000
James and Roxann Neneman; J&R Mini Mart (Council Bluffs)	UT	3,900
Simonsen Industries, Inc. (Cherokee Co.)	WW	5,000
Dennis Malone & Joanne Malone (Morning Sun)	UT	600
Economy Solar Corp.; Jeffrey C. Intlekofer (Cedar Rapids)	AQ	10,000
Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals (Lee Co.)	HC/WW	10,000
Earth Media Technologies, Inc. (Polk Co.)	SW	3,000
Leonard C. Page (Adams Co.)	SW	3,000
Boyer Valley Company (Arion)	WW	8,000
Wilbur McNear; Gilbert Persinger (Smithland)	UT	2,500
Donald Krieger (Terrill)	UT	600
Donald J. Foreman d/b/a D & R Feedlots (Woodbury Co.)	WW	3,000
Wilbur McNear d/b/a McNear Oil Co. (Charter Oak)	UT	2,000
Shell Rock Products, Inc. (Butler Co.)	AQ/SW	10,000
E.L. Incorporated (Algona)	SW	5,000
Weber Construction, Inc. (Cascade)	AQ	4,000
Tri-County Bank & Trust (Cascade)	AQ	4,000
Jack Pinney Operations, Inc. (Sioux City)	AQ	4,000
Roy Burger (Gillette Grove)	UT	5,400
Fremont County Sanitary Landfill (Fremont Co.)	SW	5,000
Spencer Municipal Hospital (Spencer)	AQ	3,000
Westside Park for Mobile Homes (Burlington)	WW	3,000
Climax Molybdenum Company (Ft. Madison)	HC/AQ	10,000
Clarence, City of	WW	3,000
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	4,800
Hidden Valley Mobile Home Park (Washington)	WW	2,000
Markley Knock d/b/a Knock's Bldg. Supply (Parkersburg)	AQ/SW	2,000
Russell Staggs (Muscatine Co.)	AQ/SW	2,000
Obie's Hurstville Tap, Inc. (Maquoketa)	WS	100
Dallas County Care Facility (Adel)	WW	2,500
Mount Joy Mobile Home Park (Davenport)	WW	2,000
Louisa-Muscatine Community School (Letts)	WS	500
Davenport Travel Plaza (Walcott)	WS	250
Vermeer Manufacturing Co. (Pella)	AQ	10,000
Gary Walker (Montgomery Co.)	AQ/SW	3,000

Haasco, Ltd. (Dubuque)	AQ	3,000
Bernie Brauns d/b/a Brauns Waste Mgmt. (Muscatine Co.)	AQ/SW	10,000
Ron Rupe (Polk Co.)	SW	2,000
Lamoni, City of	WW	1,000
Margaret and Gene Palmersheim d/b/a G & M Service Mart (Greeley)	UT	1,500
#Boomsma Egg Site #1; A.J. DeCoster (Wright Co.)	WW	1,000
Richard Sprague (Tripoli)	AQ/SW	5,000
Carroll, City of	WS	3,000
Camp Golden Valley (Lockridge)	WW	5,700
Holliman LTD.; Terry Holliman (Hamburg)	SW/WW	10,000
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000
Ralene Hawkins d/b/a R.J. Express Salvage & Demolition; Clara Lindstadt (Des Moines Co.)	AQ/SW	1,000
Bellevue Golf Club, Inc. (Bellevue)	WS	300
Cliff's Place, Inc. (Waverly)	WS	1,500
Craig Burgin (Indianola)	UT	600
Wayne Johnson (Rockford)	AQ/SW	1,000
Sylvan Acres (Janesville)	WS	1,000
Paul Behounek; Todd Behounek (Tama Co.)	AQ/SW	7,100
Delaware County Landfill, Inc.	SW	5,000
Brittany Estates Addition (Manchester)	WS	4,000
Country Pumpkin (Deloit)	WS	500
Robert Frees; Elizabeth Mathes (Washington Co.)	SW	1,000
Iowa Waste Systems, Inc.; Fayette Co. Solid Waste Comm.	SW	10,000
Advanced Technologies Corp. (Waterloo)	AQ	7,500
Biovance Technologies, Inc. (Oskaloosa)	AQ	4,000
Stellar Industries, Inc. (Garner)	AQ	3,000
Joyce Wagner; Bruce Manthe d/b/a Wagner Truck Wash (Merrill)	WW	5,000
Iowa Mold Tooling Co., Inc. (Garner)	AQ	5,000
Keokuk Steel Castings Co., Inc. (Keokuk)	AQ	5,000
North Central Cooperative (Clarion)	WW/HC	2,000
Troy Elevator, Inc. (Troy)	WW/HC	4,000
# Austin J. DeCoster (Nursery 8) (Wright Co.)	WW	1,000
Sac City, City of	WW	4,000
Rockwell City, City of	WW	10,000
Ed Engelbrecht d/b/a E & E Auto Salvage (Lee Co.)	AQ/SW	1,000
Enviro Safe Air, Inc. (Creston)	AQ	10,000
Pathway Christian School (Kalona)	WS	500
Pictured Rocks Methodist Camp (Monticello)	WS	700
Wiese Corporation (Perry)	AQ	5,000
Ben Haven Mobile Home Park	WS	5,500
# Verton S. Miller (Johnson Co.)	AFO	2,000
Rosebar Tire Shredding Center; Dan Schwitters (Vinton)	SW	10,000
Randy Foth d/b/a Foth Lumber Co. (Livermore)	AQ	10,000
West Liberty, City of	WW	5,000
The Legacy Group, L.C. (Des Moines)	WW	10,000
The Elm's Corporation of Linn County (Cedar Rapids)	UT	4,700
Eagle Lane Corp. (Blue Grass)	WS	4,000
Barr Farm Venture; Mel Foster Co. Properties (Scott Co.)	WW	10,000
Casey's General Stores, Inc. (Johnston)	UT	8,000
Leland, City of;	WS/WS	1,000
Robert Diehl (Clarke Co.)	WW/WS	5,000
Duane Hanson d/b/a Cedar Valley Tire Recycling (Allamakee Co.)	SW	5,000

Underwood Motel (Underwood)	WS	4,000
Kraus's Serene Wooded Acres (Amana)	WS	500
Dennis Tasler (Webster City)	AQ	10,000
Keokuk Steel Castings Co., Inc. (Keokuk)	AQ	10,000
Dyersville Golf and Country Club (Dyersville)	WS	1,500
# Bernadette Ryan (Delaware Co.)	AFO	3,000
# Farmers Co-Operative Society (Sioux Center)	AFO	3,000
Holland Contracting Corp. (Forest City)	AQ	500
Lonnie King (Marion Co.)	AQ/SW	1,600
Wareco System of Iowa, Inc. (Burlington)	UT	6,100
TOTAL		501,775

The following administrative penalties were paid last month:

# Twin Pines Co. (Van Buren Co.)	AFO	850
* Gary Lund Construction (Eagle Grove)	SW	625
* Home Asbestos & Lead Abatement Services (Johnston)	AQ	50
* Milton, City of	SW/AQ	250
* R.V. Hopkins, Inc. (Davenport)	AQ	500
Aluminum Company of America (Davenport)	WW	1,000
Gassman's MHP & Spruce Harbor Inn (Dubuque)	WS	4,500
John Janning (Carroll Co.)	AQ/SW	3,000
Ira and Debby Cooley; Karen Sauer (Keokuk Co.)	AQ/SW	500
Dennis Sharkey d/b/a Sharkey Bldg. Wrecking (Dubuque)	AQ	1,000
Warnke Construction Co.; Randeau Warnke (Carroll Co.)	AQ/SW	3,000
# Sparboe Eagle, LLC (Wright Co.)	AFO	3,000
# Brainard Pig, Inc. (Harrison Co.)	AFO	250
# Interstate Pork, Inc. (Cedar Co.)	AFO	1,500
Steve Stout (Washington)	AQ/SW	200
Cinda L. Welk (West Liberty)	AQ	50
* Joseph Barragy; Tom Barragy; J & M Woodshavings, Inc. (Cerro Gordo Co.)	AQ/SW	500
* R.V. Hopkins, Inc. (Davenport)	AQ	500
Big Ten Mart/Truck Stop (Lowden)	WS	2,500
# Klinton & Lynn Patterson dba Lynn's Farm (Hancock Co.)	AFO	3,000
TOTAL		25,250

The \$2,500 penalty assessed to Walnut Grove Water Company, Davenport, has been rescinded.

ATTORNEY GENERAL REFERRALS

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Advanced Technologies Corp. Iowa City (6) UPDATED	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Trial Date	6/20/97 6/05/98 9/27/99
Ballard, Randy Fayette Co. (1) UPDATED	Flood Plain	Construction Without Permit	Order/Penalty	Referred Petition Filed Trial Date	5/29/96 6/05/98 9/23/99
Bodensteiner, Edward	Undergro			Referred	8/17/98

Des Moines (5)	und Tank	Site Assessment	Order/Penalty	Petition Filed	12/22/98
Buringrud, Mark d/b/a Carpenter Bar and Grill Carpenter (2)	Drinking Water	Monitoring/Report ing- Bacteria, Nitrate	Order/Penalty	Referred Petition Filed	11/17/97 6/04/98
Clark, Doug d/b/a Charlie's Supper Club Livermore (2)	Drinking Water	Failure to Renew Permit; Monitoring/Report ing	Order/Penalty	Referred Petition Filed	7/20/98 9/24/98
DeCoster, A.J. Wright Co. (2)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Hearing on Pre-Trial Motion Order Denying Defendant's Motion Order Granting State's Motion State's Motion to Compel Hearing Order Granting State's Motion Trial Closing Arguments Ruling (\$59,000/Civil) Defendant's Notice of Appeal Defendant's Brief Filed Defendant's Amended Brief Filed State's Brief Filed State's Amended Brief Filed Defendant's Reply Brief Filed	7/17/95 1/23/96 10/28/96 11/06/96 11/21/96 1/28/97- 2/06/97 2/11/97 2/21/97 3/05/97 3/28/97 9/05/97 4/04/97 9/05/97 9/24/97 1/12/98 1/22/98 2/19/98
DeCoster, A.J. Nursery Unit #3 Wright Co. (2)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Consolidated With Sow Unit #1 (See Below)	8/19/96 11/25/96 4/28/97
DeCoster, Austin J. Sow Unit #1 (2)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed State's Motion to Change Venue State's Motion to Consolidate Order Granting Motions Amended & Substituted Petition Filed Defendant's Motion for Partial Summary Judgment State's Motion for Partial Summary Judgment Hearing on Defendant's Motion for Partial Summary Judgment Hearing on State's Motion for Partial Summary Judgment Ruling Denying Defendant's Motion for Partial Summary Judgment Ruling Granting State's Motion for Partial Summary Judgment Trial Ruling for State Defendant's Notice of Appeal Defendant's Proof Brief Filed State's Brief	1/22/97 4/24/97 4/28/97 4/28/97 4/28/97 5/19/97 7/14/97 8/04/97 8/11/97 8/25/97 9/02/97 9/04/97 9/16-18/97 1/15/98 2/13/98 7/08/98 10/08/98

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DeCoster, Austin J. Sow Unit #11; Nursery Unit #7 Wright Co. (2)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Consolidated With Nursery Unit #4 (See Below)	6/20/97 3/20/98
DeCoster, Austin J. Nursery Unit #4 Wright Co. (2) UPDATED	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Trial Date	8/18/97 3/20/98 9/16/99
DeCoster, Austin J. Sow Unit #3 Hamilton Co. (2)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred	12/15/97
DeCoster, Austin J. Nursery M-1 Lucas Co. (5)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred	11/16/98
Farmers Hybrid Companies, Inc. Poweshiek Co. (1)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred	3/16/98
Flannegan Conservation Service; Hugh J. Flannegan Emmetsburg (3)	Solid Waste	Operation Without Permit	Referred to Attorney General	Referred	11/16/98
Freese, Ken South English (6)	Air Quality; Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred	12/21/98
Grell, Don d/b/a Dodger Enterprises Ft. Dodge (2) UPDATED	Air Quality	Open Burning	Order/Penalty	Referred Petition Filed Application for Temporary Injunction Temporary Injunction Granted Trial Date	1/20/98 8/25/98 9/28/98 10/26/98 4/14/99
Hahn, Oscar Solon (6)	Air Quality Solid Waste	Open Burning Illegal Disposal	Order/Penalty	Referred Petition Filed Entry of Default	12/18/95 4/18/96 11/01/96
Hidden Valley Mobile Home Court Washington Co. (6)	Drinking Water	Monitoring/Report ing - Lead and Copper	Order/Penalty	Referred Petition Filed	1/20/98 9/29/98
Huyser, James; Trust Trucking Lovilia (5)	Undergro und Tank	Site Assessment	Referred to Attorney General	Referred Petition Filed Dismissed for Lack of Service Bankruptcy Petition Filed	11/21/94 4/18/96 9/20/96 9/20/96

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LaFollette, James; Kurt Douglas Marion Co. (5)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred	11/16/98
Larson, Daryl Clinton Co. (6)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Trial Date	10/20/97 6/26/98 5/26/99
Lehigh Portland Cement Co. Mason City (2)	Air Quality	Construction Without Permit	Referred to Attorney General	Referred	8/17/98
Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)	Hazardous Condition	Remedial Action	Order/Penalty	Referred Petition Filed Partial Default Judgment (Injunction)	2/17/92 12/21/92 10/11/94
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5)	Solid Waste	Permit Violations	Referred to Attorney General	Referred Petition Filed	12/15/97 10/02/98
Pewe Mercantile, Inc.; Dion Pewe Grand Mound (6)	Underground Tank	Insurance Violation; Site Check	Order/Penalty	Referred	11/16/98
Reed, Verna and Don; Andrea Silsby Union Co. (4)	Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Entry of Default	6/20/94 8/10/94 12/12/94
Relative, Inc.; Doug Smuck Des Moines (5)	Underground Tank	Insurance Violation	Order/Penalty	Referred Petition Filed Order Granting Default Judgment	10/17/94 5/12/95 11/26/96
Schoenberr, R.B. d/b/a Long Branch Tavern Monmouth UPDATED	(1) Drinking Water	Permit Renewal	Orders/Penalties	Referred Petition Filed Dismissal Order Granting Default Judgment (\$5,000/Civil; \$6,700/Admin. & Injunction)	6/20/97 6/04/98 12/30/98 12/09/98
Tire Tech Environmental Systems, Inc. Muscatine UPDATED	(6) Solid Waste	Tire Processing Permit Violations	Referred to Attorney General	Referred Petition Filed Hearing on Temporary Injunction Temporary Injunction Trial Date	4/20/98 6/23/98 8/25/98 9/15/98 5/10/99
Tracy, Ronald d/b/a TRACE, Inc. Howard Co. (1)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Criminal Complaint Filed	11/17/97 11/26/97
Underwood, Paul Underwood	d/b/a			Referred Motion for Judgment	5/15/95 8/15/96

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Excavating and Demolition Cedar Rapids UPDATED	(1)	Air Quality	Asbestos	Order/Penalty	Dismissed Without Prejudice	12/30/98
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Village Realty Pottawattamie Co. UPDATED	(4)	Underground Tank	DNR Defendant	Defense	Petition Filed State's Motion to Dismiss Order	8/12/98 10/08/98 12/22/98
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Weber Construction, Inc. Cascade (1)		Air Quality	Asbestos	Petition for Review	Petition Filed	11/19/98
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White, Robert Jeff Dallas Center (5)		Air Quality; Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred	4/20/98
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Williams, Dean d/b/a Williams Oil Co. Stuart (4)		Underground Tank	Site Assessment	Order/Penalty	Referred Petition Filed	10/20/97 9/24/98
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Wunschel Oil Co.; Vernus Wunschel and Jaquelyn Wunschel Battle Creek (3)		Underground Tank	Site Assessment	Referred to Attorney General	Referred Motion for Judgment Consent Decree (\$6,400/Admin.) Referred	1/17/95 8/28/96 12/13/96 3/30/98
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CONTESTED CASES

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
6-08-89	Shaver Road Investments	Site Registry	HW	Tack	Awaiting test results to amend consent order.
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Tack	New draft consent order issued to company for approval.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Murphy	Hearing continued Discovery initiated.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Murphy	Hearing continued pending negotiations. Settlement proposed 8/96.
5-08-90	Texaco Inc./Chemplex Co. Site	Site Registry	HW	-----	Settlement proposed.
5-14-90	Alter Trading Corp. (Council Bluffs)	Admin. Order	SW	Tack	Permit issued. District court suit dismissed. Field Office overseeing compliance. Progress reports received.
6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	EPD met with City to resolve appeal issues. Follow-up with EPD regarding status-3/97.
7-02-90	Keokuk Savings Bank and Trust; Keokuk Coal Gas Site	Site Registry	HW	-----	Hearing continued.
7-30-90	Key City Coal Gas Site; and Howard Pixler	Site Registry	HW	-----	Decision appealed (Pixler)
8-01-90	J I Case Company	Site Registry	HW	Preziosi	Hearing continued indefinitely pending cleanup of neighboring site.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Admin. Order/Penalty	SW	Tack	Settlement reached. Clean-up to be completed by 7/1/99. Awaiting dismissal of appeal.
5-20-91	Great Rivers Coop-Lockridge	Site Registry	HC	Murphy	Settlement close, 7/1/98.
9-25-91	Archer Daniels Midland	Admin. Order	SW	Tack	DNR engineers reviewing documents
1-17-92	Hickory Hollow Water Co.	Admin. Order/Penalty	WS	Hansen	Settlement offer to WS. Counter offer 7/13/93. Dept response on 8/3/93. Facility response 8/11/93. 12/93
1-30-92	Center Oil Co., Inc.	Admin. Order	HC	Murphy	Negotiating before filing.
4-09-92	Wayne Transports, Inc.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
5-05-92	Plymouth Cooperative Oil Co.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	HC	Murphy	Negotiating before filing.

9-21-92	ITWC	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting penalty payment.
9-22-92	King's Terrace MHP	Admin. Order/Penalty	WW	Hansen	8/94-Letter to facility regarding resolution of appeal. Follow-up letter 3/96.
11-16-92	Frank Hulshizer	Admin. Order/Penalty	SW	Tack	Amended order issued 1/11/96.
12-14-92	Quantum	Permit Conditions	WW	Hansen	3/30/93 Dept. settlement offer made. 5/03/93 response from company. Company collecting data. Company
4-05-93	Mapleton, City of	WW Operator Certification	WW	Hansen	Under review by EPD. Appeal discussion with EPD staff.
4-12-93	LeMars, City of	Admin. Order/Penalty	WW	Hansen	Construction permit issued. Schedule submitted by City for remaining construction found unacceptable. Request
7-09-93	Oakwood Park Water, Inc	Admin. Order/Penalty	WS	Hansen	Construction permit issued 2/94. Facility to be installed by 11/30/94. Letter to attorney regarding appeal
7-20-93	Valley Restaurant/Sierp Oil, Mary & Carl Sierp; and Robert Radford	Admin. Order	UT	Womson	Tier 2 submitted.
11-16-93	Iowa Southern Utilities	Permit Conditions	AQ	Preziosi	New permits issued. Settled.
12-23-93	Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel	Admin. Order/Penalty	AQ	Preziosi	Hearing set for 3/22/99.
1-27-94	Archer-Daniels-Midland	Permit Conditions	AQ	Preziosi	Negotiating before filing.
3-03-94	Burlington Northern Railroad	Tax Certification	WW	Hansen	3/96 - Letter to company regarding appeal. Response requested by 4/30/96. 5/96 - Follow-up letter sent.
5-27-94	Joseph L. Ranker; Daryl Hollingsworth	Admin. Order/Penalty	UT	Womson	Tanks closed. Property sold. Buyer not Fund eligible and bankrupt. Schedule for hearing.
6-15-94	Lakeview Heights	Permit Conditions	WS	Hansen	Facility proposal under review by WS. DNR response to appeal - 4/96.
7-12-94	Tom Wiseman	Admin. Order/Penalty	UT	Womson	Appeal untimely. Follow-up letter sent. Fund eligible. Tier 1 initiated - overdue.
8-12-94	Karl and Thelma Boylan d/b/a Boylan's Service	Admin. Order/Penalty	UT	Womson	Inability to pay. Failed to return required documentation. Letter sent 12/31/98.
8-29-94	B and B Tire and Oil	Admin. Order/Penalty	UT	Womson	SCR accepted. Letter sent offering penalty negotiations 8/26/96. Free product report received 10/2/96.
9-01-94	Elmer R. Faust d/b/a Faust Garage & Grocery	Admin. Order/Penalty	UT	Womson	SCR accepted - negotiating penalty.
9-02-94	Crabtree Lake Resort	Admin. Order/Penalty	WW	Hansen	Facility in compliance.
9-06-94	HEW, inc.	Admin. Order/Penalty	AQ	Preziosi	Hearing set for 3/12/99.
9-09-94	American Coals Corp., Site 5 (Bussey)	Admin. Order/Penalty	SW/AQ	Tack	Consent order sent to parties
9-15-94	Bankston	Admin. Order/Penalty	WS	Hansen	1/95 - Information from City. Compliance initiated. Respond to City regarding settlement.
9-16-94	Wunschel Oil Co.; Vernus Wunschel; Jacquelyn Wunschel; Mark Wunschel (Ida James D. Foust)	Admin. Order/Penalty	UT	Womson	Consent order. SCR received. Revisions to SCR required - overdue. Follow-up letter sent 2/26/96. UST
9-26-94	James D. Foust	Admin. Order/Penalty	SW	Tack	Hearing continued by ALJ because of bankruptcy.
10-07-94	Titan Wheel International	Admin. Order/Penalty	WW	Hansen	Revised BMR report submitted/reviewed by WW Permits. Letter to facility regarding report.
11-14-94	Tom Babinat d/b/a Tom's Car Care	Admin. Order/Penalty	UT	Womson	Inability to pay - requested documentation -- no response. State lead -- tanks removed.
12-14-94	Campbell Clean-Up Service	Permit Denial	AQ	Preziosi	Negotiating before filing.
1-10-95	Steamboat Rock	Admin. Order	WS	Hansen	2/95 - Settlement offer by City and response by Dept 4/95 - Dept. letter to City regarding settlement. 5/95-
1-11-95	Henry and Randy Krohn d/b/a Krohn Construction	Admin. Order/Penalty	AQ/SW	Tack	Penalty settlement reached. Final payment due 7/1/99.
1-13-95	Simonsen Industries, Inc.	Admin. Order/Penalty	WW	Hansen	2/28/95 - Submittal by facility's engineer regarding land application of sludge. Under review by WW permits
2-23-95	Lehigh Portland Cement	Permit Conditions	WW	Hansen	Informal settlement meeting held on 6/96. Facility to provide status report regarding TSS permit limit by
3-23-95	American Coals Corp.	Admin. Order	SW	Tack	Awaiting consent order approval.
4-13-95	The Weitz Corp.; Barton Solvents, Inc.	Admin. Order	HC	Tack	Remediation plan received 5/27/96.
5-05-95	C & O Recycling Enterprises; Douglas W. Owen	Permit Denial	AQ	Preziosi	Negotiating before filing.
5-25-95	Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals	Admin. Order/Penalty	HC/WW	Tack	Hearing continued. Clean-up continuing.
5-25-95	E I DuPont DeNemours (95-A-133)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
5-25-95	Fremont County SLF	Admin. Order/Penalty	SW	Tack	Negotiating before filing.
5-30-95	Earth Media Technologies	Admin. Order/Penalty	SW	Tack	In the process of clean-up.
5-31-95	E I DuPont DeNemours (91-A-266 thru 91-A-269)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
6-20-95	Toledo, City of	Permit Conditions	WW	Hansen	WW permits to negotiate settlement. Status of negotiations requested 1/9/96.
6-23-95	Leonard C. Page	Admin. Order/Penalty	SW	Tack	Penalty settlement due 8/30/97.
7-03-95	Donald J. Foreman d/b/a D & R Feedlots	Admin. Order/Penalty	WW	Hansen	Negotiating before filing.
7-05-95	Boyer Valley Co	Admin. Order/Penalty	WW	Hansen	Informal meeting held for 6/7/96. Response from facility due 6/28/96. Response received from facility 7/96.
7-10-95	Donald Krieger	Admin. Order/Penalty	UT	Womson	Tanks removed. Report due.
7-10-95	Gilbert Persinger/Smithland Store	Admin. Order/Penalty	UT	Womson	SCR received - rejected. Review progress.
8-01-95	Wilbur McNear d/b/a McNear Oil Co./Charter Oak	Admin. Order/Penalty	UT	Womson	SCR received/rejected. Referral for state lead. Negotiating penalty.

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8-24-95	Shell Rock Products, Inc.	Admin. Order/Penalty	AQ/SW	Preziosi	Hearing set for 3/22/99.
9-06-95	Kraft Foods Inc.; Oscar Mayer Division	Variance Denial	WW	Hansen	Follow-up letter requesting information sent 1/12/96. Letter 2/19/96 granting additional time for information.
9-20-95	FKI Industries, Inc.; Fairfield Aluminum, Inc.	Admin. Order	WW/HC	Murphy	Negotiating before filing.
10-09-95	E.L. Incorporated	Admin. Order/Penalty	SW	Tack	Hearing set for 2/16/99.
10-17-95	Tri-County Bank	Admin. Order/Penalty	AQ	Preziosi	Awaiting penalty payment.
10-17-95	Weber Construction, Inc.	Admin. Order/Penalty	AQ	Preziosi	Hearing held 4/25/97. Decision received in DNR's favor. Penalty reduced. Decision appealed to EPC 6/6/97.
11-03-95	Jack Pinney Operations, Inc. aka Jack Pinney Grading	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting penalty payment.
12-12-95	Vernon Kinsinger, K & K Sanitation	Admin. Order/Penalty	AQ/SW	Tack	Clean-up progressing. Working with F.O. #6. Receiving penalty payments.
12-29-95	Spencer Memorial Hospital	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting penalty payment.
1-04-96	Catherine E. Meredith	Admin. Order	UT	Womson	Compliance initiated by Atlantic Bottling. Comingled with coal tar. Joint agreement with I.E.S.
1-08-96	Westside Park for Mobile Homes	Admin. Order/Penalty	WW	Hansen	Past due monthly monitoring reports submitted to FO 6. Facility inspection 2/28/96 by FO 6/.
1-11-96	Climax Molybdenum Company	Admin. Order/Penalty	AQ/HC	Preziosi	Sent to DIA.
1-12-96	Clarence, City of	Admin. Order/Penalty	WW	Hansen	1/96 - Facility inspected by FO 6. 9/96 letter from facility attorney stating construction completed.
1-22-96	Daryl Hollingsworth and Karen Hollingsworth d/b/a Medora Store	Admin. Order/Penalty	UT	Womson	Hearing scheduled for 3/23/99.
1-25-96	Hidden Valley Mobile Home Park	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1-25-96	Markley Knock d/b/a Knock's Building Supply	Admin. Order/Penalty	AQ/SW	Tack	Favorable decision received. EPC to affirm 2/15/99.
2-06-96	Russell Stag	Admin. Order/Penalty	AQ/SW	Tack	Negotiating before filing.
3-11-96	Dallas County Care Facility	Admin. Order/Penalty	WW	Hansen	Facility inspected by FO. Now in compliance.
3-14-96	Laurel, City of	Admin. Order	WW	Hansen	Information submitted by city under review by WQ section.
3-14-96	Lamoni, City of	Admin. Order	WW	Hansen	Flow information requested from City's engineer. New waste load allocation and permit limits requested.
3-19-96	Obie's West	Admin. Order	WS	Hansen	Under review by WS section.
3-22-96	Mt. Joy Mobile Home Park	Admin. Order/Penalty	WW	Hansen	3/25/96 Inspection by FO 6. Facility in compliance.
3-26-96	Louisa-Muscatine Community School	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
5-07-96	Lakeview Mobile Home Park	Admin. Order/Penalty	WW	Hansen	6/20/96 - informal meeting held. Facility to provide settlement offer by 7/15/96. Settlement offer received.
5-08-96	Vermeer Mfg. Co. (96AQ06)	Admin. Order/Penalty	AQ	Preziosi	Consent order drafted.
5-14-96	Gary Lee Walker	Admin. Order/Penalty	AQ/SW	Tack	Negotiating before filing.
5-16-96	Grand Laboratories, Inc.	Permit Denial	WW	Hansen	Information received and reviewed by EPD. Settlement offer and revised permit sent to facility 7/97. Response.
5-29-96	Haasco, Ltd	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
6-07-96	Clow Valve Company	Permit Conditions	AQ	Preziosi	Negotiating before filing.
6-10-96	DeCoster Farms of Iowa (19 sites)	Admin. Order	WW	Clark	Proposed decision 11/25/96. Appealed to EPC 12/27/96.
6-10-96	DeCoster Farms of Iowa (5 sites)	Permit Denial	WR	Clark	Proposed decision 11/25/96. Appealed to EPC 12/27/96.
6-19-96	Appanoose Co. Sanitary Landfill	Permit Modification Denial	SW	Tack	Hearing set for 6/29/98 - settlement pending.
6-25-96	Bernie Brauns d/b/a Brauns Waste Mgmt. & Excavating	Admin. Order/Penalty	AQ/SW	Tack	Sent to DIA.
8/01/96	DeCoster Farms of Iowa (Nursery Unit 7 - Wright Co.)	Permit Denial	WW	Clark	Proposed decision 11/25/96. 12/27/96 - Appealed to EPC.
8/01/96	DeCoster Farms of Iowa (Boomsma Egg Site #1)	Admin. Order/Penalty	WW	Clark	Hearing continued - date to be set.
8/09/96	Gene and Margaret Palmersheim d/b/a G & M Service Mart	Admin. Order/Penalty	UT	Womson	Negotiating before filing.
8/19/96	Capitol Oil Co., Inc. d/b/a Dakota Mobile Home Park	Admin. Order/Penalty	WW	Clark	Settlement letter sent 9/25/98.
9/24/96	North Star Steel Iowa	Permit Denial	AQ	Preziosi	Negotiating before filing.
10/11/96	DeCoster Farms of Iowa (96-WW-32)	Admin. Order	WW	Clark	Hearing continued indefinitely.
10/17/96	DeCoster Farms of Iowa (Nursery Unit 3 - Wright Co.)	Permit Revocation	WW	Clark	Hearing continued indefinitely.
10/28/96	Fischer Controls International	Permit Conditions	WW	Hansen	Negotiating before filing.
11/01/96	Joseph Barragy and Tom Barroy d/b/a J & M Woodshavings	Admin. Order/Penalty	AQ/SW	Tack	Settled. Penalty payment plan. Awaiting payment.
11/08/96	Carroll, City of	Admin. Order/Penalty	WS	Hansen	Returned to compliance.
11/25/96	Camp Golden Valley	Admin. Order/Penalty	WW	Tack	Negotiating before filing.
12/02/96	Organic Technologies Corp.	Permit Denial	SW	Murphy	Proposed decision received 8/1/97; appealed. Affirmed by EPC 11/17/97. Petition for judicial review 12/18/97.
12/05/96	Organic Technologies Corp. -----91-SDP-02-94P	Admin. Order/Penalty Intended Permit Revoc.	SW	Murphy	Proposed decision received 8/1/97; appealed. Affirmed by EPC 11/17/97. Petition for judicial review 12/18/97.

1/02/97	Ruan Leasing Co., aka Ruan Transportation Management Systems	Admin. Order	AQ	Preziosi	Negotiating before filing.
1/28/97	Ralene Hawkins d/b/a R.J. Express Salvage & Demolition; Clara Lindstadt	Admin. Order/Penalty	SW/AQ	Tack	Sent to DIA.
2/07/97	Craig Burgin	Admin. Order/Penalty	UT	Womson	Compliance complete. Negotiating penalty.
2/19/97	Cliff's Place, Inc.	Admin. Order/Penalty	WS	Hansen	Compliance initiated.
2/21/97	Farmland Foods, Inc. (Denison)	Permit Conditions	AQ	Preziosi	Negotiating before filing.
3/04/97	Wayne Johnson	Admin. Order/Penalty	SW/AQ	Tack	Negotiating before filing.
3/20/97	Sylvan Acres	Admin. Order/Penalty	WS	Hansen	Compliance initiated.
3/28/97	Paul Behounek; Todd Behounek	Admin. Order/Penalty	SW/AQ	Tack	Negotiating before filing.
4/10/97	Lehigh Portland Cement	PSD Permit Denial	AQ	Kaizer	Negotiating before filing.
5/07/97	Delaware County Landfill, Inc.	Admin. Order/Penalty	SW	Tack	Negotiating before filing.
6/06/97	Carroll's Foods of the Midwest	Const. Permit Denial	WW	Clark	Negotiating before filing.
6/30/97	Linwood Mining and Minerals	Admin. Order	AQ	Preziosi	Negotiating before filing.
7/22/97	CIPCO	Construction Permit Conditions	AQ	Preziosi	Negotiating before filing.
7/22/97	Robert P. Frees; Elizabeth R. Mathes	Admin. Order/Penalty	SW	Tack	Negotiating before filing.
7/30/97	Country Pumpkin	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
7/31/97	Advanced Technologies Corp.	Admin. Order/Penalty	AQ	Kaizer	Settled. Awaiting penalty payment.
8/01/97	Dodger Enterprises Co., Tire Chop Division; Donald Grell	Admin. Order	SW	Murphy	Proposed decision 6/26/98. Appeal to EPC. Affirmed 9/21/98. Appealed to District Court.
8/05/97	Biovance Technologies	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
8/08/97	Iowa Waste Systems, Inc.; Fayette Co. Solid Waste Mgmt. Comm.	Admin. Order/Penalty	SW	Tack	Negotiating before filing.
8/15/97	Ralston Purina Co.	Permit Conditions (25 permits)	AQ	Preziosi	Negotiating before filing.
8/18/97	Stellar Industries Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
8/25/97	Joyce Wagner, Bruce Manthe d/b/a Wagner Truck Wash	Admin. Order/Penalty	WW	Murphy	9/97 - Case on hold pending compliance.
9/17/97	Keokuk Steel Castings	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
9/25/97	Iowa Mold Tooling Co., Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
9/26/97	Walnut Grove Water Co.	Admin. Order/Penalty	WS	Hansen	Under review by WS section. Connection to water supply for City of Davenport completed. Facility 11/98 - Site assessment approved.
10/6/97	North Central Cooperative	Admin. Order/Penalty	HC/WW	Murphy	
10/6/97	Holnam, Inc.	Permit Conditions	AQ	Preziosi	Negotiating before filing.
10/7/97	Ottumwa, City of	Variance Denial	WW	Hansen	Informal meeting held 11/13/97. City submitted proposal. Letter sent to City accepting their proposal.
10/22/97	Lehigh Portland Cement Co.	Admin. Order	AQ	Preziosi	Negotiating before filing.
11/19/97	Troy Elevator, Inc.	Admin. Order/Penalty	WW/HC	Murphy	Site assessment conditionally approved 11/98.
12/02/97	Dows, City of	Admin. Order	WW	Hansen	F.O. 2 inspection 3/98. To be set for hearing. Letters received from City regarding progress on preliminary.
12/12/97	Donald E. Grell; Dodger Enterprises, Tire Chop Division	Notice of Intent to Revoke Solid Waste	SW	Murphy	Proposed decision 6/26/98. Appeal to EPC Affirmed 9/21/98. Appealed to District Court.
12/22/97	Dave and Kristi Castenson; Donald Fields, Conservator for Thelma Pirie	Harcourt Variance	WW	Hansen	Hearing set for 7/20, 21/98. Hearings also held 8/20 and 8/28. Hearings completed. Briefs submitted.
1/13/98	DeCoster Farms of Iowa (Nursery #8) (Wright Co.)	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1/16/98	Pilgrim Heights Camp	NPDES Permit Conditions	WW	Hansen	Negotiating before filing.
1/23/98	Sac City	Admin. Order/Penalty	WW	Hansen	Status report received from city's consultant.
1/29/98	Ralston Purina Company	Permit Conditions	AQ	Preziosi	Negotiating before filing.
1/30/98	Rockwell City	Admin. Order/Penalty	WW	Hansen	Meeting on 4/22/98 with city's engineer regarding facility plan.
2/13/98	Ed Engelbrecht d/b/a E & E Auto Salvage	Admin. Order/Penalty	AQ/SW	Tack	Negotiating before filing.
2/26/98	Ira Cooley, Debby Cooley and Karen Sauer	Admin. Order/Penalty	AQ/SW	Tack	Settled. Awaiting penalty payment.
3/06/98	Enviro Safe Air, Inc. (98-AQ-05)	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
4/03/98	Pictured Rocks Methodist Camp	Admin. Order/Penalty	WS	Hansen	Facility agreed to install chlorination. FO 2 inspection on 6/29/98.
4/03/98	Cooperative Oil Company; Mickey Berg	Admin. Order	UT/WW	Womson	Compliance initiated.
4/23/98	North Liberty, City of	Admin. Order	WW	Hansen	Negotiating before filing.
4/27/98	Weise Corporation	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
4/28/98	ALCOA	Permit Conditions	WW	Hansen	Administrative consent order issued. Appeal resolved. Closed.

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5/04/98	Ben Haven Mobile Home Court	Admin. Order/Penalty	WS	Hansen	Chlorination system installed by WS.
5/11/98	Teri Cook-Schlutz	401 Certification	WQ	Murphy	Negotiating before filing.
7/01/98	Ag Processing, Inc.	Permit Conditions	AQ	Kaizer	Negotiations continue.
7/27/98	Mitchell Dam Bar	Permit Conditions	WS	Hansen	Negotiating before filing.
7/28/98	Q.C. Metallurgical Laboratory	Laboratory Certification Revocation	UT	Womson	Settlement reached. Compliance achieved.
7/29/98	Eagle Lane Corporation	Admin. Order/Penalty	WS	Hansen	Water supply in compliance with monitoring requirements.
7/29/98	Archer Daniels Midland 98-A-507P thru 98-A-515P	Permit Provisions	AQ	Preziosi	Negotiating before filing.
8/13/98	Obie's Hurstville Tap	Admin. Order	WS	Murphy	Negotiating before filing.
8/18/98	University of Iowa	Permit Conditions	WW	Hansen	Settlement offer sent 10/98.
9/15/98	Verton S. Miller	Admin. Order/Penalty	AFO	Clark	Settlement letter sent 1/25/99.
9/22/98	Rosebar Tire Shredding Center; Dan L. Schwitters	Admin. Order/Penalty	SW	Tack	Negotiating before filing.
9/29/98	Randy Foth d/b/a Foth Lumber Co.	Admin. Order/Penalty	AQ	Kaizer	Hearing set for 2/8/99.
10/03/98	Ag Processing, Inc. (Emmetsburg)	Permit Exemption Denial	AQ	Kaizer	Negotiating before filing.
10/06/98	M & W Pallett Co.	Admin. Order	SW	Tack	New case. Clean-up in progress.
10/08/98	West Liberty, City of	Admin. Order/Penalty	WW	Hansen	Informal procedures requested.
10/09/98	Elm's Corporation of Linn County	Admin. Order/Penalty	UT	Womson	Compliance initiated.
10/09/98	Warnke Construction Co.; Randeau Warnke	Admin. Order/Penalty	AQ/SW	Kaizer	Settled. Awaiting penalty payment.
10/13/98	The Legacy Group, L.C.; Easter Lakes Estate Site	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
10/23/98	John Janning	Admin. Order/Penalty	AQ/SW	Kaizer	Penalty received 1/12/99. Closed.
11/03/98	Dakota Mobile Home Park; Capitol Oil Co.	Admin. Order	WS	Murphy	Negotiating before filing.
11/04/98	Steve Stout	Admin. Order/Penalty	AQ/SW	Preziosi	Penalty paid. Settled.
11/05/98	Jim Arenson Chevrolet	Permit Revisions	WS	Hansen	Negotiating before filing.
11/06/98	Barr Farm Venture and Mel Foster Co Properties	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
11/06/98	Rustic Oaks Homeowners Assoc.	Admin. Order	WS	Murphy	Negotiating before filing.
11/09/98	Cinda L. Welk	Admin. Order/Penalty	AQ	Kaizer	Settled. Awaiting penalty payment.
11/13/98	Caseys General Stores, Inc. (Johnston Store)	Admin. Order/Penalty	UT	Womson	Compliance initiated.
11/19/98	Jacobs Energy Corporation	Permit Denial	AQ	Preziosi	Negotiating before filing.
11/19/98	Leland, City of	Admin. Order/Penalty	WW/WS	Murphy	Negotiating before filing.
11/23/98	Williamson, City of	Admin. Order	WW	Hansen	Negotiating before filing.
11/30/98	Robert Diehl	Admin. Order/Penalty	WW/WS	Murphy	Negotiating before filing.
12/01/98	Underwood Motel	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
12/01/98	Dyersville Golf & Country Club	Admin. Order/Penalty	WS	Murphy	Negotiating before filing.
12/02/98	Ag Processing (Eagle Grove)	Permit Conditions	AQ	Kaizer	Negotiating before filing.
12/07/98	Krauss Serene Wooded Acres	Admin. Order/Penalty	WS	Murphy	Negotiating before filing.
12/08/98	Dennis Tasler; Tasler Inc.	Admin. Order/Penalty	AQ	Kaizer	Negotiating before filing.
12/16/98	Richard Swales	Permit Denial	FP	Clark	Negotiating before filing.
12/24/98	Keokuk Steel Castings Co., Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
12/28/98	Jim Comes; Gary Comes	Permit Issuance	FP	Clark	Negotiating before filing.
12/30/98	Farmland Industries, Eagle Grove	Permit Exemption Denial	AQ	Preziosi	Negotiating before filing.
1/04/99	Duane Hanson d/b/a Cedar Valley Tire Recycling	Admin. Order/Penalty	SW	Tack	New case.
1/06/99	Fanners Cooperative Society	Admin. Order/Penalty	AFO	Clark	New case.
1/13/99	Bernadette Ryan	Admin. Order/Penalty	AFO	Clark	New case.
1/20/99	Lonnie King	Admin. Order/Penalty	AQ/SW	Tack	New case.
1/20/99	Holland Contracting Corp.	Admin. Order/Penalty	AQ	Kaizer	New case.
1/22/99	Regency West Water Co.	Admin. Order	WS	Murphy	New case.
1/25/99	Supervisor's Club, Inc.	Admin. Order	WS	Murphy	New case.

1/29/99	Wareco Services, Inc.	Admin Order/Penalty	UT	Wornson	New case
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Mr. Stokes presented the routine monthly reports noting that the Environmental Audits rules cleared final review by the ARRC last week. He related there will be a guidance package prepared to go with the Environmental Audit Program.

Chairman Ehm asked about one of the referrals being dismissed without prejudice.

Mr. Murphy stated that, normally, when that happens they feel it would not be beneficial to pursue the action at that point, but they do not want to give up the possibility of reinstating it at a later date.

Brief discussion followed.

INFORMATIONAL ONLY

PROPOSED RULE--CHAPTER 40, 41, 42, 43, AND 83, WATER SUPPLY AND ENVIRONMENTAL LABORATORY CERTIFICATION

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission with information pertaining will be provided proposed rules for revisions to the Public Drinking Water Supply Rules of IAC 567—Chapters 40, 41, and 43, and adoption of a new Chapter 42, and revisions to the Laboratory Certification Rules of IAC 567—Chapter 83. The public drinking water supply rules have not been updated for the past five years, during which time the U.S. Environmental Protection Agency (EPA) has continued to promulgate new and revised drinking water regulations. Significant regulations were added as a result of the re-authorization of the federal Safe Drinking Water Act in 1996.

These amendments include:

- updates to incorporate changes from the 1996 re-authorization of the federal Safe Drinking Water Act by EPA
- new and amended definitions, some of which are adopted as a result of EPA mandates, others of which are adopted for clarity
- grammatical corrections
- analytical methodology updates
- adoption of a new viability assessment program, in accordance with EPA mandates
- adoption of a new consumer confidence report program, in accordance with EPA mandates
- adoption of a new Chapter 42, which includes reporting requirements moved from Chapters 41 and 43 as well as the new consumer confidence report program
- restructuring of the disciplinary actions for laboratory certification, to include a new category of “suspended” certification

The rules will be presented for information only at this meeting. The Commission will be asked to approve a Notice of Intended Action to begin formal rulemaking on these proposed rules at their March 1999 meeting.

Mr. Stokes explained that it has been several years since these rules have been revised and this is to update references to changes in federal code regulations, and it will keep Iowa in sync with the federal Safe Drinking Water Act. He expanded on details of the rules.

Brief discussion followed regarding possible economic consequences.

INFORMATIONAL ONLY

NOTICE OF INTENDED ACTION--CHAPTER 55, ACQUIFER STORAGE AND RECOVERY RULES

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve the attached Notice of Intended Action on Aquifer Storage and Recovery Rules. In March, 1998 the Governor signed House File 2292. This Bill requires the Department to initiate a permit program for persons to inject, store, and recover treated water from aquifers for potable use. The proposed rules were written in consultation with an advisory committee consisting of ten representatives of professional/technical organizations, water utilities, and industry groups, which met over the past two months. The proposed rules include:

- Definitions of "Aquifer storage and recovery", "Contiguous", "Displacement zone", "Drawdown", "Limited registration", "Permit", "Permittee", "Receiving aquifer", "Recovered water", "Stored water", "Treated water", and "Zone of influence".
- The clarification of legal rights and obligations affecting ASR permit holders.
- Technical definition of the affected area within the aquifer.
- Provisions for "limited registration" for aquifer pre-testing before a 20-year ASR permit is issued.
- Engineering/hydrogeological criteria for the Department's ASR project application review.
- Two public notification periods prior to final issuance of ASR permit.

The rules are written as a new Chapter 55 to the Department's Division B - Drinking Water administrative rules. Two public hearings are proposed to receive further public input: one each in Des Moines and in Iowa City.

ENVIRONMENTAL PROTECTION COMMISSION (567)

Pursuant to the authority of Iowa Code sections 455B.105 and 455B.173, the Environmental Protection Commission for the Department of Natural Resources gives Notice of Intended

Action to add a new Chapter 55, "Aquifer Storage and Recovery: "Criteria and Conditions for Authorizing Storage, Recovery, and Use of Water," Iowa Administrative Code.

New definitions for "Aquifer storage and recovery", "Contiguous", "Displacement zone", "Drawdown", "Limited registration", "Permit", "Permittee", "Receiving aquifer", "Recovered water", "Stored water", "Treated water", and "Zone of influence" are added. Iowa Legislature-mandated technical additions for the practice of aquifer storage and recovery, and the clarification of legal rights and obligations affecting permit holders are specified.

Any interested person may submit written suggestion or comments to the proposed rule changes through _____, 1998. Such written materials should be submitted to Michael K. Anderson, P.E., Department of Natural Resources, Wallace State Office Building, 502 East 9th Street, Des Moines, Iowa 50319-0034.

Persons are also invited to present oral or written comments at any of the public hearings which will be held:

Location:

Time: _____

Wallace State Office Building
502 East 9th Street
Des Moines, Iowa

Location:

Time: _____

Iowa City, Iowa

Any persons who intend to attend a public hearing and have special requirements such as hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

These rules may impact small business.

Copies of these proposed rules may be obtained from Emmett Deets, Records Center, Department of Natural Resources, Wallace State Office Building, 502 East 9th Street, Des Moines, Iowa 50319-0034.

These rules are intended to implement 1998 Iowa Acts, House File 2292.

ITEM 1. Add a new Chapter 55 as follows:

CHAPTER 55

AQUIFER STORAGE AND RECOVERY:

"Criteria and Conditions for Authorizing Storage, Recovery, and Use of Water"

567--55.1(455B) Statutory Authority.

The authority for the Iowa department of natural resources to permit persons to inject, store, and recover treated water for potable use is given by 1998 Iowa Acts, House File 2292. This permit requirement applies to any aquifer storage and recovery (ASR) system, including projects involving border streams. The person or water system seeking an aquifer storage and recovery permit must review the criteria for ASR permits and contact the department if a permit is required.

567--55.2(455B) Reserved.

567--55.3(455B) Purpose.

The aquifer storage and recovery rules are intended to describe aquifer storage and recovery, including defining the affected area within the aquifer, creating a permit program with technical criteria for evaluating ASR projects, and incorporating technical additions for the practice of treated water recovery. Legal rights and obligations affecting ASR permit holders are defined.

567--55.4(455B) Definitions. The following definitions shall apply to this chapter:

"Aquifer storage and recovery" (ASR) means the injection and storage of treated water in an aquifer through a permitted well during times when treated water is available, and withdrawal of the treated water from the same aquifer through the same well during times when treated water is needed.

"Contiguous" means directly adjacent or touching along all or part of one side of a legally defined piece of property. Tracts of land involved in the same operation or water supply and separated only by items such as roads, railroads, or bike trails are deemed contiguous tracts.

"Displacement zone" means the three-dimensional area of dispersion into which treated water is injected for storage, subject to later recovery.

"Drawdown" means the decrease in water level at a pumping well due to the action of the pump.

"Limited registration" means a one-year written authorization for a nonrecurring use of water for purpose of forecasting and testing the ASR well system, to include cyclic test pumping as necessary.

"Permit" means a written authorization issued to a permittee by the department for the storage of treated water in an existing aquifer or the subsequent withdrawal of treated water from an existing aquifer. The permit specifies the quantity, duration, location, and instantaneous rate of this storage or withdrawal.

"Permittee" means a water supply system which obtains a permit from the department authorizing the injection of and possession by storage of treated water in an aquifer, withdrawal of this water at a later date, and the actual beneficial use of the water.

"Receiving aquifer" means the aquifer into which treated water is injected under terms of an ASR permit.

"Recovered water" means water which is recovered from storage within the displacement zone under terms of an ASR permit.

"Stored water" means injected treated potable water which is stored in a receiving aquifer within the displacement zone under terms of an ASR permit.

"Treated water" for the purposes of this chapter means water which has been physically, chemically, or biologically treated to meet national primary and secondary drinking water standards and is fit for human consumption as defined in 567-Chapter 40-43, Iowa Administrative Code (IAC).

"Zone of influence" means a circular area around a pumping water well where the water table has been measurably lowered due to the action of the pump.

567--55.5(455B) Application Processing.

55.5(1) Application.

a. Initial application for approval of an aquifer storage and recovery (ASR) project. A permit shall be required for the storage of all treated water in an aquifer for later recovery for potable uses. New permit applications (a request for a new permit, as distinguished from modification or renewal of an existing permit) shall be made on a form obtained from the department. An application form must be submitted by or on behalf of the water supply system owner, lessee, easement holder, or option holder of the area where the water is to be stored and recovered from an aquifer. An application must be accompanied by a map portraying:

- the points of injection and withdrawal,
- the immediate vicinity (topography) of the receiving aquifer,
- any production, test or other observation wells within the aquifer,
- the area of water storage, and

The application also must include a description of the land where wells are located and water will be injected, withdrawn, and used oriented as to quarter section, section, township, and range. One application will be adequate for all uses on contiguous tracts of land. A water supply construction permit pursuant to 567-Chapter 43, IAC will be also required for all injection/recovery wells.

b. Limited registration. The department's response to an initial application will be to issue a limited registration to initiate an ASR pre-testing program pursuant to paragraph 55.6(1)"a"; only after approval of and completion of an ASR pre-testing program with appropriate public notification pursuant to subrule 55.5(3) and proper evaluation of the test results will the department issue an ASR permit.

c. A request for modification or renewal of a permit shall be made in similar manner. This application does not need to reiterate map and location information as previously submitted to the department (unless the information has changed). The limited registration requirement for aquifer pre-testing does not apply to modified or renewed ASR permit requests (unless required by the department).

55.5(2) Application fee. A nonrefundable fee in the form of a credit card, check, or money order in the amount of two hundred dollars (\$200) payable to the department of natural resources must accompany an application for a permit [and limited registration for aquifer pre-testing] for aquifer storage and recovery. Two hundred dollars (\$200) must accompany an application for modification or renewal of a permit for ASR.

55.5(3) Published notice --- applicant limited registration. The department will issue a limited registration allowing the applicant to conduct test pumping of an ASR site pursuant to paragraph 55.6(1)"a". The applicant shall first publish notice of intent to test the injection and water pumpage/recovery equipment, prior to receiving the limited registration. Publication shall be in a form and manner acceptable to the department, in the newspaper of largest circulation in

the county where the ASR project is located, and proof of publication shall be submitted to the department. The department will then issue the limited registration, and the applicant shall notify contiguous landowners by U.S. mail of the receipt of the limited registration and the intent to test an ASR site.

55.5(4) Published notice --- departmental intent to issue a final ASR permit. Before issuance of a final ASR permit, the department shall publish notice of proposed decision to issue an ASR permit or deny the ASR application. Publication shall be in the newspaper of largest circulation in the county where the ASR project is located. This publication shall summarize the department's findings on whether the application conforms to relevant criteria as outlined in subrule 55.6(1). Copies of the proposed decision shall be mailed to the applicant, any person who commented, and any other person who requests a copy of the decision. The decision shall be accompanied by a certification of the date of mailing. A proposed decision becomes the final decision of the department unless a timely notice of appeal is filed in accordance with 55.5(6).

55.5(5) Form of department decision. The decision on an application shall be a permit or denial letter issued by the department. Each permit shall include appropriate standard and special conditions consistent with Iowa Code sections 455B.261 to 455B.274, Iowa Code Section 455B.281, and 567 --- Chapters 52 to 55. The decision may incorporate by reference and attachment the summary report described in 55.5(4). Each decision shall include the following:

- a. Determinations as to whether the project satisfies all relevant criteria not addressed in an attached summary report.
- b. An explanation of the purpose for imposing each special condition.
- c. Explanation of consideration given to all comments submitted pursuant to 55.5(3) and (4) unless the comments are adequately addressed in the attached summary report.

55.5(6) Appeal of department decision. Any person aggrieved by an initial ASR permit decision may appeal the action. The person must submit a request for appeal in writing to the director within 30 days of the date of issuance of the final decision made by the department. A decision by the director in an appeal may be further appealed to the Environmental Protection Commission (EPC). The form of appeal and appeal procedures are governed by 567---Chapter 7. The department shall mail a copy of the notice of appeal to each person who commented on the application.

55.5(7) ASR permit public hearing. Reserved.

567--55.6(455B) Aquifer storage and recovery technical evaluation criteria.

55.6(1) Requirements. Injections into aquifers for the purpose of treated water storage, and subsequent withdrawals from the receiving aquifers intended for potable uses shall be subject to the following requirements:

- a. Aquifer pre-testing. Procurement of a limited registration for aquifer pre-testing as outlined in subrule 55.5(1). The limited registration shall be for the period of one year, and may be reregistered at the discretion of the department should the project require more than one year to be completed. The limited registration shall allow initial aquifer testing for determining the feasibility of aquifer storage and recovery, including placement of pumping and storage/extraction equipment. The testing approach shall be designed to provide information as needed to evaluate the ultimate capacity anticipated for the ASR project, and assurance that the ASR site shall not restrict other uses of the aquifer. The testing program shall include injection

rates and schedules, water storage volumes, recovery rates and schedule, and a final testing report.

b. Engineering report. An engineering evaluation of the technical feasibility of the proposed water injection, and the probable percentage of recovery of treated water when pumped for recovery shall be submitted to the department. The engineering report shall include preliminary information from conceptual evaluations and aquifer pre-testing such as:

- injection rates and schedules,
- water storage volumes,
- the length of time the injected water will be stored,
- the projected recovery rate,
- water quality data necessary to demonstrate the percentage of recovered water and that the water meets national drinking water standards,
- water level monitoring data including the location of observation wells if any,
- a plan detailing what to do with the recovered water if the intended use is not possible, and
- a final testing protocol.

If the report can demonstrate by conducting field tests or by using a conceptual or mathematical hydrogeologic modeling that the injection, storage, and subsequent recovery will not adversely affect nearby users, the ASR project may be permitted after review by the department. A displacement zone containing the stored volume of water will not be allowed if it adversely affects another user's zone of influence. If the department finds through hydrogeologic modeling or during pre-testing that the proposed displacement zone may impact the zone of influence of another user's existing well, additional testing will be required. The department may require the applicant to construct observation wells between the ASR site and nearby wells and may designate project-specific monitoring and reporting requirements at the observation wells.

c. Hydrogeologic evaluation. Hydrogeologic investigation of the site to evaluate potential quantitative and qualitative impacts to the aquifer, including changes to localized aquifer geochemistry shall be part of the engineering report. Preliminary hydrogeologic information shall include:

- the local geology,
- a hydrogeologic flow model of the areal flow patterns,
- a description of the aquifer targeted for storage,
- estimated flow direction and rate of movement,
- both permitted and private wells within the area affected by ASR wells, including best estimates of respective zones of influence,
- basis for estimating the displacement zone,
- anticipated changes to the receiving aquifer geochemistry due to the proposed ASR testing and use, and
- potable water quantity recovery estimates.

d. Protection of nearby existing water uses. The aquifer storage and recovery permit applicant shall demonstrate that the ASR site shall not restrict other uses of the aquifer by nearby water use permittees. An ASR applicant shall conduct and submit an inventory of nearby wells. The department after considering the rate and amount of the ASR injections and withdrawals, and the characteristics of the aquifer will determine the extent of the inventory and the

appropriate radius from the proposed ASR site. The department shall provide a map specifying the area in which the inventory is needed and forms specifying information to be gathered. The ASR permit applicant shall make a good faith effort in obtaining available information from public records to identify nearby landowners and occupants and from drilling contractors identified by a landowner or occupant who responds to the inventory. Well interference conflicts arising from the proposed ASR site/project shall be resolved as outlined in 567-Chapter 54, Iowa Administrative Code (IAC) or as otherwise specified by the department. Water recovery from an ASR site will not be permitted to any user other than the ASR permittee.

e. MCL exceedance limitation. No permit may allow injected water to contain contaminants in excess of the maximum contaminant levels (MCLs) established by the department in 567-Chapter 40-43, IAC. Chemicals associated with disinfection of the water may be injected into the aquifer up to the standards established under 567-Chapter 40-43, IAC or as otherwise specified by the department.

f. Reporting and recordkeeping. The permittee shall maintain a monthly record of injection and recovery, including the total number of hours of injection and recovery and the total metered quantity injected and recovered. The records must be submitted to the department annually. Project records including water quality testing records must be kept by the applicant for a period of five years. Water quality monitoring shall be at the frequency required by 567-Chapter 40-43, IAC and as identified in the water system's public water supply operation permit. The applicant shall keep project records for a period of three years after termination of an ASR project and closure of the recovery wells.

g. Followup analysis by permittee. Reserved.

h. Failure to construct and non-use. The department may vacate the permit if the applicant fails to construct injection and water pumpage/recovery and ancillary equipment within three years of issuance of the permit (or subsequent permit modifications or renewals). The permit may also be vacated if the applicant does not use the storage system within three years of acquisition of the permit. A site abandonment plan including the physical removal of injection and water recovery equipment and the abandonment of all injection/recovery and observation wells pursuant to 567-Chapter 39, IAC will be required of the applicant if the permit is vacated. A permittee whose permit is vacated may request a formal review of the action. The permittee must submit a request for review in writing to the director within 30 days of the date of notification of the final decision made by the department. A decision by the director in a formal review case may be further appealed to the Environmental Protection Commission (EPC).

i. Mechanical integrity. Other conditions that are necessary to ensure adequate protection of water supplies may be imposed for mechanical integrity checks of the injection and treated water recovery well,

j. Revocation. The department may revoke or modify a permit to prevent or mitigate injury to other water users or otherwise protect aquifer water quality. The department may, based upon valid scientific data, further restrict certain chemicals in the injection source water if the department finds the constituents will interfere with or pose a threat to the maintenance of the water resources of the state for present or future beneficial uses.

k. Non potable uses. Reserved.

55.6(2) Duration of permit, conditions of permit, and applicant property rights. Permits for aquifer storage and recovery shall be issued for twenty (20) years.

a. Conditions of permit. The permit will specify the maximum allowable injection rate at each well, the maximum allowable annual quantitative storage volume, and the maximum allowable instantaneous water withdrawal rate at each well.

b. Property of permittee. The department shall not authorize withdrawals of treated water from an aquifer storage and recovery site by anyone other than the permittee during the period of the permit and each subsequent renewal permit. Treated water injected into a receiving aquifer (and thereby comprising the "displacement zone") as part of an ASR permit is the property of the permittee. Treated water which is recovered from storage within a displacement zone under terms of a permit shall be referred to as "recovered water" and shall be the property of the permittee. If a permit is revoked or otherwise surrendered, the ownership of the injected water within the aquifer (the water considered as "property") reverts to the State of Iowa.

c. Restrictions on other wells within displacement zone. Existing wells within the displacement zone shall be plugged pursuant to 567-Chapter 39, IAC. No new private water wells, injection/withdrawal wells, observation wells, or public water supply wells shall be permitted by any governmental entity within the ASR displacement zone while the ASR permit is in effect.

Date

Paul W. Johnson, Director

Mr. Stokes gave a detailed explanation of the rules.

Motion was made by Rozanne King to approve Notice of Intended Action--Chapter 55, Aquifer Storage and Recovery. Seconded by Kathryn Murphy.

A lengthy discussion followed with the Commission expressing concerns about allergies to chlorine, water uses, restrictions, ownership of the aquifer, landowners rights, and prohibiting a person from withdrawing water from the storage area. Consensus of the Commission was that more information is needed before they would take any action on the rules.

Charlotte Mohr asked if other states are doing this.

Director Johnson noted that the department will find out what is going on in the midwestern states in regard to this type of program.

Motion was made by Terrance Townsend to table the rules until additional information is received. Seconded by Randal Giannetto. Motion carried unanimously.

RULES TABLED

CLEAN WATER STATE REVOLVING LOAN FUND - 1999 INTENDED USE PLAN (WASTEWATER)

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve issuing a notice soliciting public input on the proposed Clean Water State Revolving Fund Intended Use Plan (IUP) for the State of Iowa, for fiscal year 1999 revolving fund loan assistance for wastewater treatment construction.

The FY 1999 Intended Use Plan includes the list of projects proposed to receive loan assistance through the state revolving fund with money available for 1999 as well as uncommitted previous years funds. Opportunity for public input is required by EPA. The IUP is the initial step in preparing a grant request for federal funds for the CWSRF.

All applications received to date have been included on the proposed list for assistance. Notices will be sent to all cities and interested persons or groups. A proposed final IUP will be presented to the commission for approval following the hearing and consideration of any comments or additional applications received.

(A copy of the plan is on file in the department's Records Center)

Mr. Stokes reviewed details of the Intended Use Plan.

Chairman Ehm asked if we have been using all of the available money each year.

Mr. Stokes stated that last year was the first year that some of the reserve fund was used to meet everyone's needs. He related that some of the reserve will probably be used this year. He noted that staff will, at some point in time, need to review the whole program in terms of the payment streams and the projected future needs. He added that the fund is supposed to go on in perpetuity.

Brief discussion followed regarding the needs category.

<i>Motion was made by Charlotte Mohr to approve the Clean Water State Revolving Loan Fund - 1999 Intended Use Plan. Seconded by Kathryn Murphy. Motion carried unanimously.</i>

APPROVED AS PRESENTED

NOTICE OF INTENDED ACTION--CHAPTERS 20, 21, 22, 23 AND 25, NEW NESHAPS AND INTERNAL CORRECTIONS AND CLARIFICATIONS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve the attached Notice of Intended Action to amend Chapter 20, "Scope of Title—Definitions—Forms—Rules of Practice," Chapter 21,

“Compliance,” Chapter 22, “Controlling Pollution,” Chapter 23, “Emission Standards for Contaminants,” and Chapter 25, “Measurement of Emissions” 567 Iowa Administrative Code.

The purpose of this rulemaking is to update adoption by reference citations. Most updates do not add any additional requirements upon the state or industry. The rule making also adopts by reference three national emission standards for hazardous air pollutants (NESHAPs) that were promulgated federally for flexible polyurethane foam production, pharmaceutical production, and pulp and paper production (non-combustion). It also creates an exemption from construction permitting for certain pyrolysis cleaning furnaces; and allows for preparatory work to be initiated prior to issuance of a construction permit, in certain cases. The rule making also removes December 9, 1999, as the deadline for deferment to obtain a Title V, voluntary, or small source operating permit for certain source categories; defaults the emission standard for particulate matter to 0.1 grain per dry standard cubic foot of exhaust gas; and creates a definition for “bona fide training fire,” as it applies to open burning. Other items are amendments to clarify the intent of the rule or to amend language to conform with revisions made to federal regulations.

Three minor clarifications and one addition were made since this was presented to the Commission for Information. The one addition was a modification to Item 20 to add ozone to the list of insignificant activities that must be included in the Title V operating permit application.

(A copy of the rule is on file in the department’s Records Center)

Mr. Stokes briefly reviewed details of the rule.

Motion was made by Terrance Townsend to approve Notice of Intended Action--Chapters 20, 21, 22, 23, and 25, New NESHAPS and Clarifications. Seconded by Rozanne King. Motion carried unanimously.

APPROVED AS PRESENTED

PROPOSED CONTESTED CASE DECISION--MARKLEY KNOCK

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

On December 18, 1995, the department issued Administrative Order No. 95-AQ-52/95-SW-35 to Markley Knock. That action required the appellant to cease illegal burning and solid waste disposal, to clean up an open burn site, and to pay a penalty of \$2,000. That action was appealed by Mr. Knock, and the matter proceeded to administrative hearing on December 8, 1998. The Administrative Law Judge issued the Proposed Decision on January 4, 1999. The decision affirms the Order.

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mr. Murphy stated that this case involves the illegal burning and solid waste disposal. He related that issues other than the penalty were resolved and the appeal was brought to hearing in December 1998, and Mr. Knock did not show up. He noted that the ALJ issued the ruling which was in the agenda packet and an appeal has not been received to date.

Randal Giannetto commented that this happened in December 1995 and in January 1996 the appeal was filed by Mr. Knock, and he questioned why it took until October 1998 to issue the Administrative Order.

Mr. Murphy stated that when this type of appeal is received the department will wait to see if the cleanup takes place. He related that the staff attorney who deals with solid waste retired about a year ago and a new young lawyer was hired who is cleaning up some of the old cases.

The Commission took no action; this has the effect of upholding the ALJ decision in the absence of an appeal.

ALJ DECISION UPHELD

REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The Commission will be asked to refer the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the commissioners and are confidential pursuant to Iowa Code section 22.7(4). The parties have been informed of this action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

- a. Henry County – water quality
- b. Tyler Excavating/Ray Tyler (Polk County) – solid waste penalty
- c. Ron Morgan (Polk County) – solid waste penalty
- d. Dean Stafford dba Oakland Mills Store (Henry County) – water supply penalty
- e. Rodney Mullins (Humboldt County) – feedlot penalty
- f. Gary Lenz - Mike's Fisherman's Wharf (Dubuque County) – water supply penalty
- g. Patrick McCoy (Delta) – air quality/solid waste penalty
- h. Russell Barkema dba Barkema Construction (Wright County) – air quality/solid

- waste penalty
- i. Jeff Bendickson and Karen Bohl (Manly) – air quality/solid waste penalty
- j. Elery and Allen Fry; Becky Sandeen (Monroe County) –solid waste penalty

Henry County

Mr. Murphy distributed copies of a letter from the Henry County Attorney along with his response to the letter. He briefed the Commission on the history of the case. He related that most county sanitarians will address septic tank problems in cities. He expanded on the particular problem and noted that Henry County's position is that they think the cities, not the counties, should be required to enforce state sewer regulations within their jurisdictions. Mr. Murphy stated that the county sanitarians normally work with the cities to address these problems, and he does not know of any other county that has an ordinance which excludes it from operating within city limits. He related that the department has a good working relationship with the county sanitarians.

Motion was made by Charlotte Mohr for referral to the Attorney General's Office. Seconded by Rozanne King. Motion carried unanimously.

REFERRED

Jeff Bendickson and Karen Bohl

Mr. Murphy stated that the parties involved have begun to pay their penalty and staff will withdraw the referral at this time.

REFERRAL WITHDRAWN

The Commission decided to act on the following eight cases with one action.

Tyler Excavating/Ray Tyler

Ron Morgan

Dean Stafford dba Oakland Mills Store

Rodney Mullins

Gary Lenz

Patrick McCoy

Russell Barkema dba Barkema Construction

Elery and Allen Fry; Becky Sandeen

Motion was made by Rozanne King to refer to the Attorney General's Office the following: Tyler Excavating; Ron Morgan; Dean Stafford; Rodney Mullins; Gary Lenz; Patrick McCoy; Russell Barkema; and Elery & Allen Fry, and Becky Sandeen. Seconded by Terrance Townsend. Motion carried unanimously.

REFERRED

1999 LEGISLATION

Kathleen Moench, Budget and Grants Bureau, reported on the status of the following bills.

HSB100 & SSB1015 Infectious Waste Management - Has not been any action in House or Senate

HSB96 & SSB1030 Public Water System Source Testing - Has not been any action in House or Senate

HSB94 & SSB1026 Baled Solid Waste - Has not been any action in House or Senate

HSB95 & SSB1032 Pesticide and Fertilizer Contaminated Sites - Paul Johnson related that he asked that this bill be held back while the department works together with industry to come up with a program that would alleviate some of the problems at these sites.

HSB55 & SSB109 Net Energy Measurement and Metering - Bill has not gone anywhere there has been discussion with utilities regarding a major concern by utilities having to pay for meters - is still in discussion.

HF36 Violation Disclosure to DNR - working with Rep. Chapman who wants to give DNR authority to deny permits for history of past violations. This bill has not come out of committee.

HF37 Expansion of Bottle Bill - no action to date.

HF131 AFO Permits and County Siting Boards - no action taken to date.

HF141 & HF151 Cleanup Payments from UST Fund For Governmental Units - deals with cleanup payments from the UST fund - no action on either bill.

HF196 Tax Exemption on Pollution Control Equipment - no action to date.

HF216 Time Extensions for HF2494 - extends commercial applicators certification to July, and the confinement site applicators certification to October - no action to date.

HF219 & SF64 Local Siting Control of AFO's less than 300,000 lbs. live weight - no action to date.

HF226 & SF103 Establishing an On-Site Sewage Disposal Revolving Loan Fund - no action to date.

SF6 Tax Exemption on Pollution Control Equipment - no action to date.

SF18 Energy Performance Contracting with Schools - no action to date.

SSB1090 10% Ethanol Mandate - requires gasoline sold to be blended with 10% ethanol and removes 1-cent state tax - has been a lot of discussion in Senate but no action taken.

Director Johnson commented that in regard to the revolving loan fund for private septic systems he thinks it is a good idea but there is concern about where the money would come from. He asked if any of the Wastewater Treatment Revolving Loan Fund would be eligible to start off that program. Mr. Stokes noted that staff could check into it.

Chairman Ehm asked if the amendments to HF2494 to back up the date is because the rules will not be ready in the allotted time.

Mr. Stokes stated that it is anticipated to have those rules before the Commission in March, and without them being in place the department could not proceed with certification of applicators.

INFORMATIONAL ONLY

GENERAL DISCUSSION

Chairman Ehm distributed copies of a letter from the Administrative Rules Review Committee regarding the Notice of Intended Action on HF 2494. He related that the ARRC was concerned with whether it was appropriate to include the AACO alternative with the Notice of Intended Action.

Rita Venner stated that the Commissioners received a letter from the IWPCA and wondered if any action needs to be taken on it.

Chairman Ehm stated that the staff talked about designing an agenda on what would happen over the year to accomplish the Triennial Review, and maybe a status update could be given as part of the routine monthly reports. He related that the IWPCA letter spoke about what was done in Kansas and possibly adopting that as Iowa policy as well.

Mr. Stokes reviewed that staff agreed with IWPCA that the department will be doing a water quality review and will be working with a group of outside advisors. He noted that Director Johnson facilitated a meeting with IWPCA representatives last week and clarified the point that the department will rely on the technical advisory committee early in the process. He related that hopes are to have the first meeting with the technical advisory group by the first week of March. Mr. Stokes noted that he will provide the Commission with monthly updates on the issue.

NEXT MEETING DATES


March 15, 1999

April 19, 1999


May 17, 1999

ADJOURNMENT

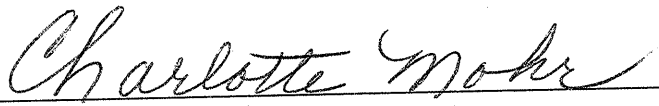
With no further business to come before the Environmental Protection Commission, Chairman Ehm adjourned the meeting at 12:15 p.m., Monday, February 15, 1999.



Paul W. Johnson, Director



William Ehm, Chair



Charlotte Mohr, Secretary

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